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**No FUTURE QUERIES WILL BE HANDLED IN CONNECTION WITH THE ABOVE.**

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**COMMENCEMENT: 1 APRIL 2016**

### NATIONAL AND PROVINCIAL

Notice sizes for National, Provincial & Tender gazettes 1/4, 2/4, 3/4, 4/4 per page. Notices submitted will be charged at R1000 per full page, pro-rated based on the above categories.

Pricing for National, Provincial - Variable Priced Notices		
Notice Type	Page Space	New Price (R)
Ordinary National, Provincial	1/4 - Quarter Page	250.00
Ordinary National, Provincial	2/4 - Half Page	500.00
Ordinary National, Provincial	3/4 - Three Quarter Page	750.00
Ordinary National, Provincial	4/4 - Full Page	1000.00

### EXTRA-ORDINARY

All Extra-ordinary National and Provincial gazette notices are non-standard notices and attract a variable price based on the number of pages submitted.

The pricing structure for National and Provincial notices which are submitted as **Extra ordinary submissions** will be charged at **R3000** per page.

### GOVERNMENT PRINTING WORKS - BUSINESS RULES

The **Government Printing Works (GPW)** has established rules for submitting notices in line with its electronic notice processing system, which requires the use of electronic *Adobe Forms*. Please ensure that you adhere to these guidelines when completing and submitting your notice submission.

#### CLOSING TIMES FOR ACCEPTANCE OF NOTICES

1. The *Government Gazette* and *Government Tender Bulletin* are weekly publications that are published on Fridays and the closing time for the acceptance of notices is strictly applied according to the scheduled time for each gazette.
2. Please refer to the Submission Notice Deadline schedule in the table below. This schedule is also published online on the Government Printing works website [www.gpwnonline.co.za](http://www.gpwnonline.co.za)

All re-submissions will be subject to the standard cut-off times.

**All notices received after the closing time will be rejected.**

Government Gazette Type	Publication Frequency	Publication Date	Submission Deadline	Cancellations Deadline
National Gazette	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Regulation Gazette	Weekly	Friday	Friday 15h00, to be published the following Friday	Tuesday, 12h00 - 3 days prior to publication
Petrol Price Gazette	As required	First Wednesday of the month	One week before publication	3 days prior to publication
Road Carrier Permits	Weekly	Friday	Thursday 15h00, to be published the following Friday	3 days prior to publication
Unclaimed Monies (justice, labour or lawyers)	January / As required 2 per year	Any	15 January / As required	3 days prior to publication
Parliament (acts, white paper, green paper)	As required	Any		3 days prior to publication
Manuals	As required	Any	None	None
State of Budget (National Treasury)	Monthly	Any	7 days prior to publication	3 days prior to publication
Legal Gazettes A, B and C	Weekly	Friday	One week before publication	Tuesday, 12h00 - 3 days prior to publication
Tender Bulletin	Weekly	Friday	Friday 15h00 for next Friday	Tuesday, 12h00 - 3 days prior to publication
Gauteng	Weekly	Wednesday	Two weeks before publication	3 days after submission deadline
Eastern Cape	Weekly	Monday	One week before publication	3 days prior to publication
Northern Cape	Weekly	Monday	One week before publication	3 days prior to publication
North West	Weekly	Tuesday	One week before publication	3 days prior to publication
KwaZulu-Natal	Weekly	Thursday	One week before publication	3 days prior to publication
Limpopo	Weekly	Friday	One week before publication	3 days prior to publication
Mpumalanga	Weekly	Friday	One week before publication	3 days prior to publication
Gauteng Liquor License Gazette	Monthly	Wednesday before the First Friday of the month	Two weeks before publication	3 days after submission deadline
Northern Cape Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
National Liquor License Gazette	Monthly	First Friday of the month	Two weeks before publication	3 days after submission deadline
Mpumalanga Liquor License Gazette	2 per month	Second & Fourth Friday	One week before	3 days prior to publication



**GOVERNMENT PRINTING WORKS - BUSINESS RULES****EXTRAORDINARY GAZETTES**

3. *Extraordinary Gazettes* can have only one publication date. If multiple publications of an *Extraordinary Gazette* are required, a separate Z95/Z95Prov *Adobe* Forms for each publication date must be submitted.

**NOTICE SUBMISSION PROCESS**

4. Download the latest *Adobe* form, for the relevant notice to be placed, from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za).
5. The *Adobe* form needs to be completed electronically using *Adobe Acrobat / Acrobat Reader*. Only electronically completed *Adobe* forms will be accepted. No printed, handwritten and/or scanned *Adobe* forms will be accepted.
6. The completed electronic *Adobe* form has to be submitted via email to [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za). The form needs to be submitted in its original electronic *Adobe* format to enable the system to extract the completed information from the form for placement in the publication.
7. Every notice submitted **must** be accompanied by an official **GPW** quotation. This must be obtained from the *eGazette* Contact Centre.
8. Each notice submission should be sent as a single email. The email **must** contain **all documentation relating to a particular notice submission**.
  - 8.1. Each of the following documents must be attached to the email as a separate attachment:
    - 8.1.1. An electronically completed *Adobe* form, specific to the type of notice that is to be placed.
      - 8.1.1.1. For *National Government Gazette* or *Provincial Gazette* notices, the notices must be accompanied by an electronic Z95 or Z95Prov *Adobe* form
      - 8.1.1.2. The notice content (body copy) **MUST** be a separate attachment.
    - 8.1.2. A copy of the official **Government Printing Works** quotation you received for your notice .  
(Please see *Quotation* section below for further details)
    - 8.1.3. A valid and legible Proof of Payment / Purchase Order: **Government Printing Works** account customer must include a copy of their Purchase Order. **Non-Government Printing Works** account customer needs to submit the proof of payment for the notice
    - 8.1.4. Where separate notice content is applicable (Z95, Z95 Prov and TForm 3, it should **also** be attached as a separate attachment. (Please see the *Copy Section* below, for the specifications).
    - 8.1.5. Any additional notice information if applicable.
9. The electronic *Adobe* form will be taken as the primary source for the notice information to be published. Instructions that are on the email body or covering letter that contradicts the notice form content will not be considered. The information submitted on the electronic *Adobe* form will be published as-is.
10. To avoid duplicated publication of the same notice and double billing, Please submit your notice **ONLY ONCE**.
11. Notices brought to **GPW** by "walk-in" customers on electronic media can only be submitted in *Adobe* electronic form format. All "walk-in" customers with notices that are not on electronic *Adobe* forms will be routed to the Contact Centre where they will be assisted to complete the forms in the required format.
12. Should a customer submit a bulk submission of hard copy notices delivered by a messenger on behalf of any organisation e.g. newspaper publisher, the messenger will be referred back to the sender as the submission does not adhere to the submission rules.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****QUOTATIONS**

13. Quotations are valid until the next tariff change.
  - 13.1. **Take note:** GPW's annual tariff increase takes place on **1 April** therefore any quotations issued, accepted and submitted for publication up to **31 March** will keep the old tariff. For notices to be published from 1 April, a quotation must be obtained from **GPW** with the new tariffs. Where a tariff increase is implemented during the year, **GPW** endeavours to provide customers with 30 days' notice of such changes.
14. Each quotation has a unique number.
15. Form Content notices must be emailed to the eGazette Contact Centre for a quotation.
  - 15.1. The *Adobe* form supplied is uploaded by the Contact Centre Agent and the system automatically calculates the cost of your notice based on the layout/format of the content supplied.
  - 15.2. It is critical that these *Adobe* Forms are completed correctly and adhere to the guidelines as stipulated by **GPW**.
16. **APPLICABLE ONLY TO GPW ACCOUNT HOLDERS:**
  - 16.1. **GPW** Account Customers must provide a valid **GPW** account number to obtain a quotation.
  - 16.2. Accounts for **GPW** account customers **must** be active with sufficient credit to transact with **GPW** to submit notices.
    - 16.2.1. If you are unsure about or need to resolve the status of your account, please contact the **GPW** Finance Department prior to submitting your notices. (If the account status is not resolved prior to submission of your notice, the notice will be failed during the process).
17. **APPLICABLE ONLY TO CASH CUSTOMERS:**
  - 17.1. Cash customers doing **bulk payments** must use a **single email address** in order to use the **same proof of payment** for submitting multiple notices.
18. The responsibility lies with you, the customer, to ensure that the payment made for your notice(s) to be published is sufficient to cover the cost of the notice(s).
19. Each quotation will be associated with one proof of payment / purchase order / cash receipt.
  - 19.1. This means that the quotation number can only be used once to make a payment.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****COPY (SEPARATE NOTICE CONTENT DOCUMENT)**

20. Where the copy is part of a separate attachment document for Z95, Z95Prov and TForm03

20.1. Copy of notices must be supplied in a separate document and may not constitute part of any covering letter, purchase order, proof of payment or other attached documents.

The content document should contain only one notice. (You may include the different translations of the same notice in the same document).

- 20.2. The notice should be set on an A4 page, with margins and fonts set as follows:

Page size = A4 Portrait with page margins: Top = 40mm, LH/RH = 16mm, Bottom = 40mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

Page size = A4 Landscape with page margins: Top = 16mm, LH/RH = 40mm, Bottom = 16mm;  
Use font size: Arial or Helvetica 10pt with 11pt line spacing;

**CANCELLATIONS**

21. Cancellation of notice submissions are accepted by **GPW** according to the deadlines stated in the table above in point 2. Non-compliance to these deadlines will result in your request being failed. Please pay special attention to the different deadlines for each gazette. Please note that any notices cancelled after the cancellation deadline will be published and charged at full cost.
22. Requests for cancellation must be sent by the original sender of the notice and must be accompanied by the relevant notice reference number (N-) in the email body.

**AMENDMENTS TO NOTICES**

23. With effect from 01 October 2015, **GPW** will not longer accept amendments to notices. The cancellation process will need to be followed according to the deadline and a new notice submitted thereafter for the next available publication date.

**REJECTIONS**

24. All notices not meeting the submission rules will be rejected to the customer to be corrected and resubmitted. Assistance will be available through the Contact Centre should help be required when completing the forms. (012-748 6200 or email [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)). Reasons for rejections include the following:
- 24.1. Incorrectly completed forms and notices submitted in the wrong format, will be rejected.
- 24.2. Any notice submissions not on the correct *Adobe* electronic form, will be rejected.
- 24.3. Any notice submissions not accompanied by the proof of payment / purchase order will be rejected and the notice will not be processed.
- 24.4. Any submissions or re-submissions that miss the submission cut-off times will be rejected to the customer. The Notice needs to be re-submitted with a new publication date.

**GOVERNMENT PRINTING WORKS - BUSINESS RULES****APPROVAL OF NOTICES**

25. Any notices other than legal notices are subject to the approval of the Government Printer, who may refuse acceptance or further publication of any notice.
26. No amendments will be accepted in respect to separate notice content that was sent with a Z95 or Z95Prov notice submissions. The copy of notice in layout format (previously known as proof-out) is only provided where requested, for Advertiser to see the notice in final Gazette layout. Should they find that the information submitted was incorrect, they should request for a notice cancellation and resubmit the corrected notice, subject to standard submission deadlines. The cancellation is also subject to the stages in the publishing process, i.e. If cancellation is received when production (printing process) has commenced, then the notice cannot be cancelled.

**GOVERNMENT PRINTER INDEMNIFIED AGAINST LIABILITY**

27. The Government Printer will assume no liability in respect of—
  - 27.1. any delay in the publication of a notice or publication of such notice on any date other than that stipulated by the advertiser;
  - 27.2. erroneous classification of a notice, or the placement of such notice in any section or under any heading other than the section or heading stipulated by the advertiser;
  - 27.3. any editing, revision, omission, typographical errors or errors resulting from faint or indistinct copy.

**LIABILITY OF ADVERTISER**

28. Advertisers will be held liable for any compensation and costs arising from any action which may be instituted against the Government Printer in consequence of the publication of any notice.

**CUSTOMER INQUIRIES**

Many of our customers request immediate feedback/confirmation of notice placement in the gazette from our Contact Centre once they have submitted their notice – While **GPW** deems it one of their highest priorities and responsibilities to provide customers with this requested feedback and the best service at all times, we are only able to do so once we have started processing your notice submission.

**GPW** has a 2-working day turnaround time for processing notices received according to the business rules and deadline submissions.

Please keep this in mind when making inquiries about your notice submission at the Contact Centre.

29. Requests for information, quotations and inquiries must be sent to the Contact Centre ONLY.
30. Requests for Quotations (RFQs) should be received by the Contact Centre at least **2 working days** before the submission deadline for that specific publication.

## GOVERNMENT PRINTING WORKS - BUSINESS RULES

### PAYMENT OF COST

31. The Request for Quotation for placement of the notice should be sent to the Gazette Contact Centre as indicated above, prior to submission of notice for advertising.
32. Payment should then be made, or Purchase Order prepared based on the received quotation, prior to the submission of the notice for advertising as these documents i.e. proof of payment or Purchase order will be required as part of the notice submission, as indicated earlier.
33. Every proof of payment must have a valid **GPW** quotation number as a reference on the proof of payment document.
34. Where there is any doubt about the cost of publication of a notice, and in the case of copy, an enquiry, accompanied by the relevant copy, should be addressed to the Gazette Contact Centre, **Government Printing Works**, Private Bag X85, Pretoria, 0001 email: [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za) before publication.
35. Overpayment resulting from miscalculation on the part of the advertiser of the cost of publication of a notice will not be refunded, unless the advertiser furnishes adequate reasons why such miscalculation occurred. In the event of underpayments, the difference will be recovered from the advertiser, and future notice(s) will not be published until such time as the full cost of such publication has been duly paid in cash or electronic funds transfer into the **Government Printing Works** banking account.
36. In the event of a notice being cancelled, a refund will be made only if no cost regarding the placing of the notice has been incurred by the **Government Printing Works**.
37. The **Government Printing Works** reserves the right to levy an additional charge in cases where notices, the cost of which has been calculated in accordance with the List of Fixed Tariff Rates, are subsequently found to be excessively lengthy or to contain overmuch or complicated tabulation.

### PROOF OF PUBLICATION

38. Copies of any of the *Government Gazette* or *Provincial Gazette* can be downloaded from the **Government Printing Works** website [www.gpwonline.co.za](http://www.gpwonline.co.za) free of charge, should a proof of publication be required.
39. Printed copies may be ordered from the Publications department at the ruling price. The **Government Printing Works** will assume no liability for any failure to post or for any delay in despatching of such *Government Gazette(s)*.

## GOVERNMENT PRINTING WORKS CONTACT INFORMATION

#### Physical Address:

**Government Printing Works**

149 Bosman Street

Pretoria

#### Postal Address:

Private Bag X85

Pretoria

0001

#### GPW Banking Details:

**Bank:** ABSA Bosman Street

**Account No.:** 405 7114 016

**Branch Code:** 632-005

**For Gazette and Notice submissions:** Gazette Submissions:

**For queries and quotations, contact:** Gazette Contact Centre:

**E-mail:** [submit.egazette@gpw.gov.za](mailto:submit.egazette@gpw.gov.za)

**E-mail:** [info.egazette@gpw.gov.za](mailto:info.egazette@gpw.gov.za)

**Tel:** 012-748 6200

**Contact person for subscribers:** Mrs M. Toka:

**E-mail:** [subscriptions@gpw.gov.za](mailto:subscriptions@gpw.gov.za)

**Tel:** 012-748-6066 / 6060 / 6058

**Fax:** 012-323-9574

## PROCLAMATIONS • PROKLAMASIES

## PROCLAMATION NO. 16 OF 2017

BY THE  
PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

## THE APPOINTMENT AND REAPPOINTMENT OF MEMBERS OF THE TAX COURT

**Whereas** the persons mentioned in Schedules A and B to this Proclamation are suitable for appointment for the first time and reappointment as members of the Tax Court, constituted in accordance with the provisions of section 116 of the Tax Administration Act, 2011 (Act No. 28 of 2011) ("the Act");

**Now therefore** under the powers vested in me by section 120(1) of the Act, I do hereby appoint and reappoint the persons mentioned in Schedules A and B to this Proclamation as members of the Tax Court for a period of five years from the date of this Proclamation, subject to the provisions of section 120(4) and (5) of the Act.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this 27<sup>th</sup> day of March Two Thousand and Seventeen.



**PRESIDENT**  
By Order of the President-in-Cabinet



**MINISTER OF THE CABINET**

**SCHEDULE A****ACCOUNTANT MEMBERS  
RE-APPOINTMENTS****GAUTENG**

WAJA, YOUNAID  
SMITH, MARGRIETHA MARIA  
ADAM, BASHIER  
BECKWITH, GAVIN  
NGWENYA, SIPHIWE ANDREW  
VAN DER ZWAN, PIETER  
NAIDOO, DHANASAGREE  
PADIA, MISHA  
SINGH, NATASHA  
MAKDA, SUMAYYA  
ESAT, ADAM ISMAIL  
VENTER, FRED A  
DIKOTLA, MANGADI DORIS  
FOURIE, CHRISTENE  
MAZIBUKO, NJABULO GODFREY  
MOLALA, MAMADIGA  
MOOSA, HAROON ABDOOL SATAR  
MABHOZA, ZWELODUMO  
KILANI, JACQUELINE LINDELWA  
JIYANE, GILLIAN NONHLANHLA  
BAIG, ANEESA AHMED  
NHLEKO, CYRIL SANDILE  
MASHANDA, THULISILE NJAPA  
KADER, NAZRIEN

**KWA-ZULU NATAL**

GARACH, DILIPKUMAR ITCHARAM

ADAMS, MARISSA

MITCHELL, KEVIN IAN

SIMJEE, MOHAMED AHMED

PALANEE, SUGANDRAN DHANASEELAN

GANI, GOOLAM MAHOMED AMOD

ABDUL LATIFF, ARSHAD

MULLER, KARL OTTO ERNST

**EASTERN CAPE**

HELM, KEVIN KEITH

KEMP, SUSANNA ELIZABETH

**FREE STATE**

LIEBENBERG, JAKO

**WESTERN CAPE**

NDUNA, BANTUBONKE

RYBNIKAR, YOLANDA

LAGLER, KARI ANN

HILLIARD, BRIAN ROBERT

LOUW, JAKOBUS JOHANNES NEL

LOUW, SUNEL MERCIA

SURTEES, PETER GEOFFREY

SWIEGERS, JOHANNES GERHADUS



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**COMMERCIAL MEMBERS  
RE-APPOINTMENTS**

**GAUTENG**

MABUSELA, BESTOS MAKGOBA  
MOHALE, TSATSANE ROSE  
MRASI, CHURCHILL  
TEICHERT, ANNA  
MOTHIBEDI, BENJI  
GOULD, GISELLE CORINA  
MATHIBELA, HERBERT BONGANI  
VUNDLA, BUNGUZA PETER  
NKAMA, ISAAC  
LUVUNO, LONDOLOZA LEO  
SEOTA, MATSOBANE CHARLES

**EASTERN CAPE**

BAGE, ADAM MURRAY  
RANCHHOD, PIRYAWADEN

**KWA-ZULU NATAL**

CELE, LUNGILE CONSTANCE ZINYANE  
PHIRI, ABSOLOM

**WESTERN CAPE**

PASIWE, THEMBA MARSHALL  
HOFMEYR, KARIN LUISE

**MINING ENGINEER**

KOELMANS, REINIER GERHARDUS

**SCHEDULE B****ACCOUNTANTS  
NEW APPOINTMENTS****GAUTENG**

MIA, ZEYN MOHAMED AMEEN  
BUTHULEZI, NONHLANHLA M  
DU PLESSIS, IZÉL  
ELEPHANT, MELANIE  
MARITZ, MARIUS JOHANNES  
VAN GINKEL, ADOLF LUDWIG  
MANGQUKU, LUYANDA MANSFIELD  
MOTAUNG, ALINAH MAQUEEN  
NAMENG, MOSES TEBOGO  
NDZIMANDE, VINCENT BONGANI  
NOGE, MOCHELE  
PARBHOO, MITHA  
PADIA, KUSH  
SOMA, ANIEL KANJEE  
SCHOLTZ, PETRUS HERMANUS  
TEICHERT, EDUARD JAKOB  
VAN WYK, MAGIEL FREDERIK  
WAINER, HARVEY ELLIOT  
MTSETWENI, MIKATEKO LIENTJIE  
MOTLHOMA, SEMOLA SARA  
SEKOTO, MANINI JUDITH  
KUNENE, PEACE MFUNDO  
HLOMUKA, ZINHLE WENDY  
MAHLARE, MAUBANE MOSIUWANE  
KUNENE, NTOMBIZONKE NOMFUNDO  
NEL, PETRUS JOHANNES

**KWA-ZULU NATAL**

JACOBS, ANULRIC

MANTEL, MICHAEL ANTHONY

ROM, KIM

WESTERMEYER, CARMEN IRENE

MSOMI, SICELO

HLENGWA, LANGELIHLE PERCIVAL NKAZIMULO LIONEL

**EASTERN CAPE**

VAN ZYL, GIDEON PIETER

**WESTERN CAPE**

GOUWS, ERNST FREDERICK

HEEGER, PETER JOHN

RABINOWITZ, JULIAN DAVID

WARNEKE, DAVID ALLEN

LEDWABA, TLOU JOSEPH

**COMMERCIAL MEMBERS  
NEW APPOINTMENTS**

**GAUTENG**

COETZEE, LEON ANDRÉ  
MAKHAKHE, THABO LOUIS VINCENT  
MTOMBENI, TANTASWA  
TSEKOA, TSEPANG GEORGE  
XABA, BANEKA  
KHUMALO, MIHLAKAYIFANI PAUL  
KEKANA, VINCENT LAWRENCE  
MASONDO, NTOKOZO REGINALD  
NDLOVU, PULANE DELIA  
MTHETHWA, SICELO DENZIL

**KWA-ZULU NATAL**

BACON, GAVIN RENNIE  
BRUWER, CHARLENE  
JORDAAN, SONJA  
ANTHOO, JENNIFER MARY  
BAIJOO, VIDYAVRATA  
NTSHANGASE, MXOLISI KHAYELIHLE  
ZWANE, MBALI NTOMBIZONKE  
KONDLO, SONWABILE MVUYISI  
DIKO, SAKHUMZI  
BHERO, ERNEST  
MAKHANYA, ATTWELL SIBUSISO  
SIMELANE, THEKU GODFREY

**EASTERN CAPE**

GROENER, LEE-ANNE  
WATERMEYER, ROBYN JANE  
MPONCO, BRENDA BUKIWE  
MDODANA, PHELOKAZI LATHELWA

**WESTERN CAPE**

HAMMAN-UNGERER, JOAN

JOSEPH, QUINTIN SIMON

SMITH, STEPHEN EUGENE

STEPHAN, PETER

MOLEFE, YOLISA YOLANDA

**MINING ENGINEER**

MAZUBANE, NTOMBIFUTHI

MAHANGE, GOMOLEMO

MTEGHA, HUDSON

TAKALANI, DZIVHULUWANI

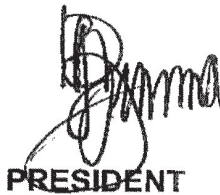
MTEGHA, GILEARD KENNEDY

**PROKLAMASIE NO. 16 VAN 2017****VAN DIE****PRESIDENT VAN DIE REPUBLIEK VAN SUID-AFRIKA****DIE AANSTELLING EN HERAANSTELLING VAN LEDE VAN DIE BELASTINGHOF**

**Aangesien** die persone genoem in Bylaes A en B by hierdie Proklamasie geskik is vir eerste aanstelling en heraanstelling as lede van die Belastinghof, ingestel kragtens die bepalings van artikel 116 van die Wet op Belastingadministrasie, 2011 (Wet No. 28 van 2011) ("die Wet");

**Daarom**, ingevolge die bevoegdheid aan my verleen by artikel 120(1) van die Wet, stel ek die persone in Bylaes A en B by hierdie Proklamasie genoem, respektiewelik, aan of weer aan as lede van die Belastinghof, vir 'n tydperk van vyf jaar met ingang van die datum van hierdie Proklamasie, behoudens die bepalings van artikel 120(4) en (5) van die Wet.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die 27ste dag van Maart, Tweeduisend-en-Sewentien.

  
**PRESIDENT**

**Op las van die President-in-Kabinet**



**MINISTER VAN DIE KABINET**

**BYLAE A****REKENMEESTERSLEDE  
HERAANSTELLINGS****GAUTENG**

WAJA, YOUNAID  
SMITH, MARGRIETHA MARIA  
ADAM, BASHIER  
BECKWITH, GAVIN  
NGWENYA, SIPHIWE ANDREW  
VAN DER ZWAN, PIETER  
NAIDOO, DHANASAGREE  
PADIA, MISHA  
SINGH, NATASHA  
MAKDA, SUMAYYA  
ESAT, ADAM ISMAIL  
VENTER, FRED A  
DIKOTLA, MANGADI DORIES  
FOURIE, CHRISTENE  
MAZIBUKO, NJABULO GODFREY  
MOLALA, MAMADIGA  
MOOSA, HAROON ABDOOL SATAR  
MABHOZA, ZWELODUMO  
KILANI, JACQUILINE LINDELWA  
JIYANE, GILLIAN NONHLANHLA  
BAIG, ANEESA AHMED  
NHLEKO, CYRIL SANDILE  
MASHANDA, THULISILE NJAPA  
KADER, NAZRIEN

**KWA-ZULU NATAL**

GARACH, DILIPKUMAR ITCHARAM

ADAMS, MARISSA

MITCHELL, KEVIN

SIMJEE, MOHAMED AHMED

PALANEE, SUGANDRAN DHANASEELAN

GANI, GOOLAM MAHOMED AMOD

ABDUL LATIFF, ARSHAD

MULLER, KARL OTTO ERNST

**OOS-KAAP**

HELM, KEVIN KEITH

KEMP, SUSANNA ELIZABETH

**VRYSTAAT**

LIEBENBERG, JAKO

**WES-KAAP**

NDUNA, BANTUBONKE

RYBNIKAR, YOLANDA

LAGLER, KARI ANN

HILLIARD, BRIAN ROBERT

LOUW, JAKOBUS JOHANNES NEL

LOUW, SUNEL MERCIA

SURTEES, PETER GEOFFREY

SWIEGERS, JOHANNES GERHARDUS



**KOMMERSIËLE LEDE  
HERAANSTELLINGS**

**GAUTENG**

MABUSELA, BESTOS MAKGOBA

MOHALE, TSATSANE ROSE

MRASI, CHURCHILL

TEICHERT, ANNA

MOTHIBEDI, BENJI

GOULD, GISELLE CORINA

MATHIBELA, HERBERT BONGANI

VUNDLA, BUNGUZA PETER

NKAMA, ISAAC

LUVUNO, LONDOLOZA LEO

SEOTA, MATSOBANE CHARLES

**OOS-KAAP**

BAGE, ADAM MURRAY

RANCHHOD, PIRYAWADEN

**KWA-ZULU NATAL**

CELE, LUNGILE CONSTANCE ZINYANE

PHIRI, ABSOLOM

**WES-KAAP**

PASIWE, THEMBA MARSHALL

HOFMEYR, KARIN LUISE

**MYN-INGENIEUR**

KOELMANS, REINIER GERHARDUS

**BYLAE B****REKENMEESTERS  
NUWE AANSTELLINGS****GAUTENG**

MIA, ZEYN MOHAMED AMEEN  
MDLETSHE, NONHLANHLA MURIEL  
DU PLESSIS, IZÉL  
ELEPHANT, MELANIE  
MARITZ, MARIUS JOHANNES  
VAN GINKEL, ADOLF LUDWIG  
MANGQUKU, LUYANDA MANSFIELD  
MOTUANG, ALINAH MAQUEEN  
NAMENG, MOSES TEBOGO  
NDZIMANDE, VINCENT BONGANI  
NOGE, MOCHELE  
PARBHOO, MITHA  
PADIA, KUSH  
SOMA, ANIEL KANJEE  
SCHOLTZ, PETRUS HERMANUS  
TEICHERT, EDUARD JAKOB  
VAN WYK, MAGIEL FREDERIK  
WAINER, HARVEY ELLIOT  
MTSETWENI, MIKATEKO  
MOTLHOMA, SEMOLE SARA  
SEKOTO, MANINI JUDITH  
KUNENE, PEACE MFUNDO  
HLOMUKA, ZINHLE WENDY  
MAHLARE, MAUBANE MOSIUWANE  
KUNENE, NTOMBIZONKE NOMFUNDO  
NEL, PETRUS JOHANNES

**KWA-ZULU NATAL**

JACOBS, ANULRIC

MANTEL, MICHAEL ANTHONY

ROM, KIM

WESTERMEYER, CARMEN IRENE

MSOMI, SICELO

HLENGWA, LANGELIHLE PERCIVAL NKAZIMULO LIONEL

**OOS-KAAP**

VAN ZYL, GIDEON PIETER

**WES-KAAP**

GOUWS, ERNST FREDERICK

HEEGER, PETER JOHN

RABINOWITZ, JULIAN DAVID

WARNEKE, DAVID ALLEN

LEDWABA, TLOU JOSEPH

**KOMMERSIËLE LEDE  
NUWE AANSTELLINGS**

**GAUTENG**

COETZEE, LEON ANDRÉ  
MAKHAKHE, THABO LOUIS VINCENT  
MTOMBENI, TANTASWA  
TSEKOA, TSEPANG GEORGE  
XABA, BANEKA  
KHUMALO, MIHLAKAYIFANI PAUL  
KEKANA, VINCENT LAWRENCE  
MASONDO, NTOKOZO REGINALD  
NDLOVU, PULANE DELIA  
MTHETHWA, SICELO DENZIL

**KWA-ZULU NATAL**

BACON, GAVIN RENNIE  
BRUWER, CHARLENE  
JORDAAN, SONJA  
ANTHOO, JENNIFER MARY  
BAIJOO, VIDYAVRATA  
NTSHANGASE, MXOLISI KHAYELIHLE  
ZWANE, MBALI NTOMBIZONKE  
KONDLO, SONWABILE MVUYISI  
DIKO, SAKHUMZI  
BHERO, ERNEST  
MAKHANYA, ATTWELL SIBUSISO  
SIMELANE, THEKU GODFREY

**OOS-KAAP**

GROENER, LEE-ANNE  
WATERMEYER, ROBYN JANE  
MPONCO, BRENDA BUKIWE  
MDODANA, PHELOKAZI LATHELWA

**WES-KAAP**

HAMMAN-UNGERER, JOAN  
JOSEPH, QUINTIN SIMON  
SMITH, STEPHEN EUGENE  
STEPHAN, PETER  
MOLEFE, YOLISA YOLANDA

**MYN INGENIEUR**

**NUWE AANSTELLING**

MAZUBANE, NTOMBIFUTHI  
MAHANGE, GOMOLEMO  
MTEGHA, HUDSON  
TAKALANI, DZIVHULUWANI  
MTEGHA, GILEARD KENNEDY

## GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS

## DEPARTMENT OF DEFENCE

NO. 322

07 APRIL 2017

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## DEFENCE FORCE SERVICE COMMISSION RECOMMENDATIONS ON CONDITIONS OF SERVICE AND POLICIES IN RESPECT OF CONDITIONS OF SERVICE

S/No	Finding a	Some of the Policy/ies Reviewed b	Recommendation/s c
01	<p><b>ASBESTOS</b></p> <p>1. Despite various Acts, Policies, Instructions and other publications published on the Department of Defence (DOD) Policy Website (DOD Intranet) and elsewhere, the Department of Defence did not make much progress on eradicating asbestos from DOD property.</p> <p>2. Members (human and equestrian) are still accommodated in facilities with asbestos roofs, exposed to, or working with asbestos equipment.</p>	<p>1. Occupational Health and Safety Act 85 of 1993;</p> <p>2. Asbestos Regulations published under Government Notice R155 in Government Gazette 23108 of 10 February 2002;</p> <p>3. The White Paper on Integrated Pollution and Waste Management For South Africa published under Government Notice No 20978 of 17 March 2000;</p> <p>4. Occupational Safety/Beroepsveiligheid Log Pamphlet 9 &amp; 10 Pamphlet 4 Part 7 on Asbestos Regulations; and</p> <p>5. Various Instructions and Publications from Services and Divisions, e.g.:</p> <p>a. South African Navy Safety and Readiness Check Manual SANGP 40 Part 1 Volume 2 (Chapters 11 – 22);</p> <p>b. South African Army Infantry Training Manual Volume 12; Specialised Infantry Training Book 1: Equestrian Training Pamphlet 1: Stable and Field Management; Basic and</p>	<p>1. The DFSC strongly recommend that the eradication of Asbestos in the DOD be prioritised to such an extent that there will be no asbestos in the DOD within five years.</p> <p>2. The Minister of Defence and Military Veterans (MODMV) could consider a joint venture with amongst others:</p> <p>a. National Treasury;</p> <p>b. Department of Health;</p> <p>c. Department of Environmental Affairs;</p> <p>d. The Department of Public Works;</p> <p>e. Secretary for Defence</p> <p>f. Chief South African National Defence Force;</p> <p>g. Chief Financial Officer</p> <p>h. Chief Logistics;</p> <p>i. Chief SA Army</p> <p>j. Chief SA Air Force</p> <p>k. Chief SA Navy</p> <p>l. Surgeon General</p> <p>m. Chief SA Army Works Formations;</p> <p>i. To investigate the extent of asbestos on DOD property, as required by Section 14.(1) of the Occupational Health and Safety Act 85 of 1993.</p>

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S/No	Finding a	Some of the Policy/ies Reviewed b	Recommendation/s c
		<p>Advance Equestrian; c. South African Air Force Technical Directive 015623; Turboprop engine – Asbestos Fibre Insulation and Shields – Replacement of.</p>	<p>ii. Simultaneously, compile an estimated cost analysis for eradication of asbestos from DOD property.</p> <p>iii. To establish and negotiate a viable eradication project in the short, medium to long term with National Treasury.</p> <p>3. The DFSC recommend that the Accountable Authority (Surgeon General) responsible for occupational hygiene is empowered to confirm and ensure that all health aspects as per Log Pamphlet 9 &amp; 10 Pamphlet 4, Part 7 and related Acts are adhered to by all Arms of Services and Divisions.</p> <p>4. Information on Asbestos and Health related matters should be communicated to, and addressed with all members within the DOD biannually as required by Section 5 of the Occupational Health and Safety Act 85 of 1993.</p> <p>5. The results over the past five years regarding processes and procedures implemented to comply with paragraph 12 of Log Pamphlet 9 &amp; 10; Pamphlet 4; Part 7 before or on 30 June 2016 to be published by the Accountable Authority.</p>

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S/No	Finding a	Some of the Policy/ies Reviewed b	Recommendation/s c
			<p>6. A consolidated report reflecting the compliance of all Arms of Services and Divisions over the past five years regarding:</p> <ul style="list-style-type: none"> <li>a. Paragraph 13 of Log Pamphlet 9 &amp; 10; Pamphlet 4; Part 7, and</li> <li>b. Paragraph 14 of Log Pamphlet 9 &amp; 10; Pamphlet 4; Part 7, should be made available to the MODMV and the DFSC by 30 August 2016.</li> </ul> <p>7. It is further recommended that all Asbestos related DOD Log Pamphlets, South African Military Health Service (SAMHS) Policies, related Instructions and manuals be reviewed and aligned with National Health Policies by the end of FY2016/17.</p> <ul style="list-style-type: none"> <li>a. Occupational Safety/Beroepsveiligheid Log Pamphlet 9 &amp; 10 Pamphlet 4 Part 7 on Asbestos Regulations should be revised.</li> <li>b. Asbestos Warning Signals to be displayed at every facility and on all DOD equipment and asbestos containing material at a date decided on by the MODMV.</li> <li>c. The Internal Audit Division (IAD) to assist with guidelines and audits on revenue</li> </ul>

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S/No	Finding a	Some of the Policy/ies Reviewed b	Recommendation/s c
			collection and compliance of Services and Divisions on Asbestos Regulations, the National Health Act and related Instructions within the DOD.
02	<b>Military Skills Development System (MSDS)</b> Findings include various aspects and allegations and are consolidated as follow:  1. Inaccurate communication of benefits and creating of expectations by recruiters and alike;  2. Poor communication between the Officers Commanding, General Officers Commanding, Service Chiefs and MSDS members;  3. Misinformation communicated between the MSDS members themselves from different MSDS intakes:  4. MSDS Policy prescripts are not implemented fair and equal to MSDS members;  5. The MSDS is perceived as an employment opportunity waving	  1. Department of Defence Instruction: Pol and Plan No 52/2001; Edition No 2; Department of Defence Human Resource Strategy 2010.  2. Applications for Employment:  a. Molokuthu Project;  b. South African Police Service;  c. South African Revenue Service;  d. Secure Banking Vehicle Services.  e. Correctional Services.	  1. Although the number of intakes per annum is determined by Policy prescripts, the resources available to all Arms of Services can no longer accommodate the prescribed number of MSDS members. It is strongly recommended that Services and Divisions should only recruit the number of MSDS members that can be trained, utilised and probably appointed, or absorbed into the Reserve Force, for subsequent utilisation on a call-up system within a specific critical vacant area according to the Budget Allocation and within the financial perimeters.  2. Services and Divisions need to compile and promulgate recruitment strategies to include unique and address new constituency unemployment.  3. The training and competency levels of Recruiting Officers need to be revised. Misrepresentation or the communication of distorted information by Recruiting Officers, Instructors or any other member of the DOD should be viewed as an offence.

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S/No	Finding a	Some of the Policy/ies Reviewed b	Recommendation/s c
			<p>4. The pre-selection medical examinations should be rescheduled to take place on the reporting day. Only after the MSDS member is declared medically fit to proceed with basic military training, the contract will be issued and signed. Approximately 7 000 – 10 000 recruits go through a pre-selection medical examination on an annual basis. Rescheduling the pre-selection medical to a pre-contract medical examination for the selected number of members will serve as a huge cost containment measure.</p> <p>5. The Reserve Force Council to consider a minimum call up period of 270 days for selective employment.</p> <p>6. Re-establishing of school programmes that enhances discipline and create awareness for the Military as the employee of choice.</p>

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03	UNIFORMS		
	<p>Findings can be consolidated as follow:</p> <ol style="list-style-type: none"> <li>1. The prescribed number of items as an issue is not available;</li> <li>2. Required sizes are not available;</li> <li>3. Very poor quality of material and craftsmanship;</li> <li>4. Boots is of sub-standard, do not support the ankles and causes feet problems;</li> <li>5. A lack of proper effective and appropriate protective clothing for all geographic environments and conditions, especially for deployed members as well as for Defence Attachés;</li> <li>6. The quality of the new camouflage uniform (ABUNT) is substandard, the material is much thinner than the original ABUNT and,</li> <li>7. Items are not available at clothing stores for uniform maintenance.</li> <li>8. The "fire proofing" of specific protective attire is questionable and need to be tested.</li> </ol>	<p>There are many publications available on the DOD Intranet. Only a few publications are reflected herewith to indicate the variety of publications addressing various aspects of uniform in the SANDF:</p> <ul style="list-style-type: none"> <li>• SANDF Dress Instructions; Volume 1: Dress General Pamphlet 4: Dress and Related Matters; 31 December 1980.</li> <li>• SANDF Dress Instructions; Volume 1: Dress General Pamphlet 3: General Instructions Part 1: SA Defence Force Dress Instructions; SADF Publication LOG 2 (Substitution of previous instructions - HSL/518/2/6/1 dated 30 April 1980) Appendix A; Planned Pamphlets.</li> <li>• South African National Defence Force Service Guide for Officers: NSN: 7610-18-025-3253.</li> <li>• South African National Defence Force Order Dress Policy: General Appearance and Conduct, 22 January 1999.</li> <li>• General Services Log and Supply MRI: 009078 Effective Date: 18/06/07; Issue Date: 18/06/07. Air Force Instruction Uniform Scales of Issue [Prescriptive (Enforceable and Binding)] Applicable Document A: MRI: 007866 Dress Policy, General Appearance and Conduct South</li> </ul>	<p>1. The DFSC recommends the appointment of a joint Project Team comprising of members from various stakeholders such as:</p> <ol style="list-style-type: none"> <li>a. National Treasury;</li> <li>b. Secretary for Defence;</li> <li>c. Chief Financial Officer;</li> <li>d. Joint Operations Division;</li> <li>e. SA Army;</li> <li>f. SA Air Force;</li> <li>g. SA Navy;</li> <li>h. SA Military Health Services;</li> <li>i. Special Forces;</li> <li>j. DOD Works Formation;</li> <li>k. Defence Intelligence Division;</li> <li>l. Defence Inspectorate Division;</li> <li>m. Logistics Division;</li> <li>n. Military Police Division;</li> <li>o. CMI Division;</li> <li>p. The Office of the Warrant Officer of the SANDF,</li> </ol> <ol style="list-style-type: none"> <li>i. To develop a <b>standardised</b> SANDF uniform, that address geographic, climatic and all other unique challenges including the office environment and deployment requirements.</li> <li>ii. As a cost cutting measure the quality of the fabric, sizes, cuts and numbers of each item should be <b>standardised</b> whilst only allowing for the specific unique colour of each Arm of</li> </ol>

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		<p>African Air Force. Reference Document A: Scales of Issue: General Scales: Log 1 Vol A2 Pam 2B: Occupational Health and Safety Act, Act No 85 of 1993 C: Protective Clothing and Equipment (MRI: 009105); Superseded Document A: Scales of Issues (AFO 4/17/92).</p> <ul style="list-style-type: none"> <li>• SADF Dress Instructions Volume 2: SA Army: Men Pamphlet 2: Composition of Dress. 31 January 1980.</li> <li>• SAMHS Order 3/2002: Defence against Chemical And Biological Weapons And Radioactive Materials: 31 October 2001.</li> <li>• South African Navy Naval Dress Regulations; SANGP 24, 01 July 2003.</li> <li>• Log 2: SADF Dress Instructions. Volume 10: SA ARMY Traditional Citizen Force Units Pamphlet 5: Cape Field Artillery (CFA). Part 1: Composition of Dress. Note 1: For the composition of standard uniforms refer to Volume 2, Pamphlet 2.</li> <li>• Department of Defence (SA Army) SA Army Order: Chief Directorate Army Corporate Services (SAAO/C Dir Army Corp SVC/D AR/240/01/03) Policy on Reserve Force Units Authorised to Wear Traditional Dress; 05 August 2003.</li> </ul>	<p>Service.</p> <p>iii. The subsequent developing of a consolidated Uniform Policy should be completed by a date as determined by the MODMV.</p> <p>2. It is recommended that the MODMV initiates the exploring of long term contracts at Parastatals for the manufacturing of standardised SANDF uniform items e.g. Universities, i.e. Cape Peninsula University of Technology, Correctional Services and the DOD Reserve Force by 31 October 2016.</p> <p>3. The DFSC strongly recommended that all publications (policies, regulations, instructions, orders and log pamphlets) related to any aspect of dress (uniform) composition, general appearance and conduct in uniform, protective clothing, scales of issue, pregnant women in the SANDF, and alike be revised, archived and or revoked as per SANDF Order: Strat &amp; Plan No 00001/20017 (Edition 2); Policy, Process and Procedures on the Development, Promulgation and Maintenance of Level 1 Policy in the SANDF, dated 01 April 2011.</p> <p>4. The DFSC recommend that crucial decisions need to be taken on all pre-1994 publications available and published on the DOD Intranet according to SANDF Order;</p>
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		<p>• Department of Defence: SA Army Order: Chief Directorate Army Corporate Services (SAAO/C Dir Army Corp SVC/DAR/240/01/03) Policy On Reserve Force Units Authorised to Wear Traditional Dress: 05 August 2003.</p>	<p>Strat &amp; Plan No 00001/20017 (Edition 2); Policy, Process and Procedures on the Development, Promulgation and Maintenance of Level 1 Policy in the SANDF, dated 01 April 2011 and DOD Policy and Planning Division Instruction: Pol and Plan No 0001/20016; Policy on Populating and Maintaining Information on the Policy and Planning Internet Website dated 01 January 2007. The impact of these decisions on other policies that might be applicable should also be investigated.</p>
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DEPARTMENT OF ENERGY

NO. 323

07 APRIL 2017



# LANGUAGE POLICY

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## 1. INTRODUCTION

The Constitution of the Republic of South Africa, 1996 provides for the equitable use of all the official languages of the country, as well as for the promotion and development of the historically marginalised indigenous languages. Apart from the 11 official languages, the Constitution also recognises other languages such as Nama, Khoi, San and Sign Languages, which must also be promoted and developed.

The Language Policy of the National Energy Regulator ('the Regulator'), which seeks to provide broad guidelines for the implementation of a system of functional multilingualism, was developed as a direct result of the imperatives of the Constitution and the Use of Official Languages Act, 2012 (Act No. 12 of 2012), which gives effect to the constitutional rights regarding language usage and development.

## 2. DEFINITIONS

In this policy, unless the context indicates otherwise, the following definitions shall apply.

**'CEO'** shall mean the Chief Executive Officer of the Regulator contemplated in section 5(3) of the Act. It shall be deemed to include such other officers or employees who have been duly authorised to represent the CEO.

**'Constitution'** shall mean the Constitution of the Republic of South Africa, 1996.

**'Employee'** shall mean an employee in terms of the Basic Conditions of Employment Act, 1997 (Act No. 75 of 1997), hereinafter referred to as 'BCEA'. Employees include full-time management and staff members of the Regulator, as well as a person contracted to the Regulator to carry out a particular function on behalf of the Regulator. The term 'employee' has the same meaning wherever reference is made to 'staff', 'managers' or 'officers'.

**'Energy Regulator'** shall mean the Chairperson and Regulator Members of the Regulator appointed by the Minister of Energy, including the CEO.

**'Equitable use'** shall mean the use of language which is fair, impartial and does not discriminate.



**‘Functional multilingualism’** shall mean a choice of a particular language(s) in a particular situation, determined by the context in which language is to be used (i.e. the function, the audience and the message for which it is to be used).

**‘Interpreter’** shall mean a person who translates the meaning of an utterance from one language, including sign language, orally into another language, and if the translation is into sign language, by means of manual communication and body language; **‘interpreting’** and **‘interpret’** have corresponding meanings.

**‘Language of record’** shall mean an official language chosen for keeping records or archiving proceedings and procedures of the Regulator.

**‘Language rights’** shall mean the rights citizens have in terms of the law to make language choices in particular circumstances.

**‘Management’** shall mean all executive managers, the Chief Financial Officer, the Chief Human Capital Officer, senior managers and heads of department.

**‘Member’** shall mean a Member of the Energy Regulator appointed by the Minister.

**‘Minister’** shall mean the Minister of Energy.

**‘Multilingualism’** shall mean the use of three or more languages by an individual or a group of people.

**‘The Act’**, shall mean the Use of Official languages Act, 2012 (Act No. 12 of 2012).

**‘The Regulations’** shall mean the Regulations in terms of the use of Official Languages Act, 2012.

**‘The Regulator’** shall mean the National Energy Regulator established in terms of the National Energy Regulator Act, 2004 (Act No. 40 of 2004).

**‘Official language’** shall mean a language used in government, education, business and the media.

**‘PanSALB’** shall mean the Pan South African Language Board, established in terms of the Pan South African Language Board Act, 1995 (Act No. 59 of 1995).

**‘Terminology’** shall mean standardised terms established for a specific subject field.

**‘Translation’** shall mean the communication of the meaning of written language into an equivalent meaning in another language; **‘translating’** and **‘translate’** have corresponding meanings.

**‘Working language’** shall mean an official language chosen by the Regulator as the language most practicable for use during a particular communication event.

### **3. PURPOSE**

The National Energy Regulator undertakes the functions of the National Electricity Regulator in accordance with the Electricity Act, 1987 (Act No. 41 of 1987), the functions of the Gas Regulator in accordance with the Gas Act, 2001 (Act No. 8 of 2001) and the functions of the Petroleum Pipelines Regulatory authority in accordance with the Petroleum Pipelines Act, 2003 (Act No. 60 of 2003).

The purpose of the policy is to establish a language policy within the Regulator that will provide for the equitable use of the official languages of South Africa, as well as enhance the promotion of the historically marginalised indigenous languages, in the business of the Regulator.

### **4. POLICY STATEMENT**

The Regulator, as required by the Constitution and because it considers multilingualism vital, will respect and uphold the functions of language rights of all the citizens of South Africa.

## 5. OBJECTIVES

The objectives of the policy are as follows:

- a. to give effect to the language rights enshrined in the Constitution through the active promotion of multilingualism;
- b. to promote the equitable use of the 11 official languages of the country in order to realise social, cultural and linguistic justice;
- c. to facilitate equitable access to the Regulator, information held by it and participation in all its processes;
- d. to support, develop and sustain multilingualism within the Regulator and in its communication and interaction with its licensees and the public;
- e. to protect language diversity and promote respect for multilingualism and unity; and
- f. to promote good language management for cost-effective and efficient administration.

## 6. CONSTITUTIONAL AND LEGAL IMPERATIVES

### 6.1. The Constitution

The following are the sections of the Constitution of the Republic of South Africa, 1996 that have been taken into consideration in the drafting of the policy:

Section 6(1) declares that the official languages of South Africa are Sepedi, Sesotho, Setswana, siSwati, Tshivenda, Xitsonga, Afrikaans, English, isiNdebele, isiXhosa and isiZulu.

Section 6(2) recognises the historically diminished use and status of the indigenous languages of South Africa, and compels the state to take practical steps and design mechanisms to elevate the status and advance the use of these languages.

Section 6(3)(a) specifies that national and provincial governments must use at least two of the official languages for the purposes of government, subject to considerations of practicality, expense, regional usage and circumstances, and the needs and preferences of the public as a whole, or in the province concerned.

Section 6(5) provides for the establishment of PanSALB to promote and develop the use of all the official languages, as well as Khoi, Nama, San and Sign Languages, and to promote

respect for all languages commonly used in communities in South Africa.

Section 9(3) protects citizens against unfair discrimination on the grounds of language.

Sections (30) and 31(1) uphold the rights of citizens to use the language of their choice.

## **6.2 Relevant Legislation and Policies**

### *6.2.1 Pan South African Language Board Act, 1995*

The PanSALB Act, 1995, provides, inter alia, for the recognition, implementation and furtherance of multilingualism, and the development of the historically marginalised indigenous languages. It also provides for the establishment of provincial language committees.

### *6.2.2 Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)*

The objects of the Promotion of Access to Information Act are to give effect to the constitutional right of access to any information held by the state, private bodies or persons subject to justifiable limitations. Such access might not only refer to physically obtaining the information but must, as far as possible, be in the language of choice of the requester.

### *6.2.3 Use of Official Languages Act, 2012 (Act no 12 of 2012)*

The objects of the use of Official Languages Act, 2012 are to provide for the regulation and monitoring of the use of official languages and to require the adoption of a language policy by national departments, public entities and public enterprises. The Act prescribes that at least three official languages must be identified for use.

### *6.2.4 Regulations in terms of the use of Official Languages Act*

The Regulations prescribe the requirements for the content of the language policy as well as the process for adoption of the policy.

### *6.2.5 National Language Policy Framework*

The National Language Policy Framework stipulates that all government structures

(national, provincial and local government), as well as institutions exercising a public power or performing a public function, are bound by it.

Government is also encouraged, where necessary, to support the private sector to develop and implement its own language policies in accordance with the above policy frameworks.

## **7. GUIDING PRINCIPLES**

The following principles are the central tenets of the policy:

- a) respect for the language rights of citizens as enshrined in the Constitution;
- b) ensuring the equitable treatment of the 11 official languages in South Africa;
- c) promoting the use of a diversity of languages;
- d) enhancing the capacity of all the official languages to contribute to political and socio-economic development and participation;
- e) enhancing the status and roles of previously marginalised languages;
- f) maximising the capacity of language as a practical and cost-effective resource for communication;
- g) addressing the needs, aspirations and interests of diverse language communities;
- h) upholding the democratic rights of citizens to fully participate in public life, including participation in the formulation, implementation and assessment of language and communication policies;
- i) promoting access to information and regulatory services through effective communication;
- j) harnessing language to ensure a transparent and accountable regulator, responsive to the needs of citizens;
- k) sensitivity and flexibility to the language preferences, usage and proficiency of the target audience;
- l) regularly assessing the implementation and impact of language and communication policies and services and effect revisions when required; and
- m) respecting and encouraging oral communication in all 11 national official languages.

## **8 SCOPE OF APPLICATION**

The policy applies to the Energy Regulator, management, and all employees of the Regulator and to any licensee or member of the public that interacts with the Regulator and may require communication in one of the official languages of South Africa.

## **9. LANGUAGE USAGE**

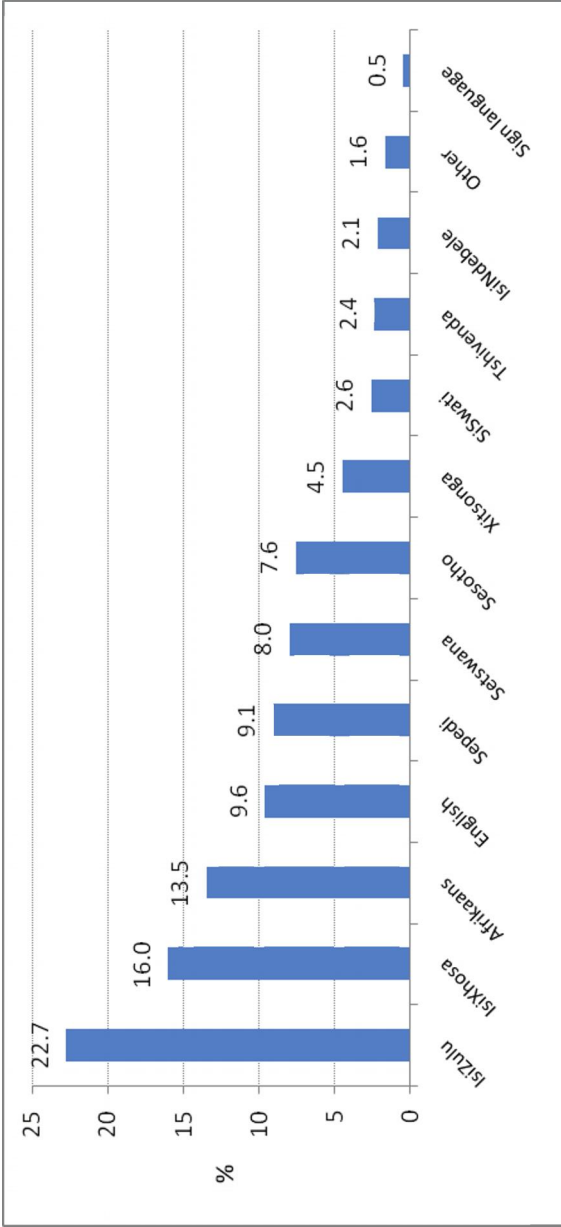
Census 2011 indicates that isiZulu is the home language spoken by more than 20% of the population at national level. It is also important to note that while English is the language most used for commerce, it occupies the fourth position for home languages at national level.

The census further indicates that Gauteng has no dominant home language, but that a multilingual situation exists in which the top five home languages are each spoken by more than 10% of the population, and together account for close to 70% of the population of the province. The tables below indicate the home language profile of South Africa as a whole according to Census 2011.

Table 1: Population by first language spoken by province (numbers)

First Language	WC	EC	NC	FS	KZN	NW	GP	MP	LP	SA
Afrikaans	2 820 643	683 410	606 225	340 490	161 876	309 867	1 502 940	289 446	140 185	6 855 082
English	1 149 049	362 502	37 842	78 782	1 337 606	120 041	1 603 464	124 646	78 692	4 892 623
IsiNdebele	15 238	14 854	6 023	10 008	111 657	43 988	380 494	403 678	104 283	1 090 223
IsiXhosa	1 403 233	5 092 152	60 187	201 145	340 832	190 601	796 841	48 993	20 275	8 154 258
IsiZulu	24 634	31 634	8 501	118 126	7 901 932	84 835	2 390 036	965 253	62 424	11 587 374
Sepedi	8 144	14 299	2 431	7 395	20 555	83 999	1 282 896	372 392	2 826 464	4 618 576
Sesotho	64 066	158 964	14 136	1 717 881	79 416	201 153	1 395 089	138 559	80 299	3 849 563
Setswana	24 534	12 607	373 086	140 228	52 229	2 191 230	1 094 599	71 713	107 021	4 067 248
Sign language	22 172	42 235	3 933	32 910	48 575	14 924	52 744	8 932	8 230	234 655
SiSwati	3 208	2 020	648	2 246	8 347	12 091	136 550	1 106 588	25 346	1 297 046
Tshivenda	4 415	3 663	1 083	2 592	4 309	16 255	272 122	12 140	892 809	1 209 388
Xitsonga	9 152	3 092	1 201	8 039	8 936	127 146	796 511	416 746	906 325	2 277 148
Other	127 117	36 893	12 385	15 935	77 519	60 872	371 575	39 639	86 322	828 258
<b>Total</b>	<b>5 675 604</b>	<b>6 458 325</b>	<b>1 127 683</b>	<b>2 675 777</b>	<b>10 153 789</b>	<b>3 457 004</b>	<b>12 075 861</b>	<b>3 998 726</b>	<b>5 338 675</b>	<b>50 961 443</b>

Table 2: Distribution of the population by first language spoken (percentage)



IsiZulu is the most frequently spoken language in South Africa's households, followed by IsiXhosa.



Table 3: Population by first language and province (percentage)

Language (first)	WC	EC	NC	FS	KZN	NW	GP	MP	LP	SA
Afrikaans	49.7	10.6	53.8	12.7	1.6	9.0	12.4	7.2	2.6	13.5
English	20.2	5.6	3.4	2.0	13.2	3.5	13.3	3.1	1.5	9.6
IsiNdebele	0.3	0.2	0.5	0.4	1.1	1.3	3.2	10.1	2.0	2.1
IsiXhosa	24.7	78.8	5.3	7.5	3.4	5.5	6.6	1.2	0.4	16.0
IsiZulu	0.4	0.5	0.8	4.4	77.8	2.5	10.8	24.1	1.2	22.7
Sepedi	0.1	0.2	0.2	0.3	0.2	2.4	10.6	0.3	52.0	9.1
Sesotho	1.1	2.5	1.3	64.2	0.8	5.8	11.6	3.5	1.5	7.6
Setswana	0.4	0.2	33.1	5.2	0.5	63.4	0.1	1.8	2.0	8.0
Sign language	0.4	0.7	0.3	1.2	0.5	0.4	0.4	0.2	0.2	0.5
SiSwati	0.1	0.0	0.1	0.1	0.1	0.3	1.1	27.7	0.5	2.5
Tshivenda	0.1	0.1	0.1	0.1	0.0	0.5	2.3	0.3	16.7	2.4
Xitsonga	0.2	0.0	0.1	0.3	0.1	3.7	6.6	10.4	17.0	4.5
Other	2.2	0.6	1.1	0.6	0.8	1.8	3.1	1.0	1.6	1.6
Total	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0	100.0

More than half of the population of Northern Cape use Afrikaans as a first language.

Just under half of the population of the Western Cape speak Afrikaans as their first language and almost a quarter speak IsiXhosa.

IsiXhosa is spoken as a first language by more than three quarters of the population in the Eastern Cape.

IsiZulu is spoken as a first language by more than three quarters of the population in KwaZulu-Natal.

More than six in ten people in North West speak Setswana.

More than six in ten people in Free State speak Sesotho.

In Limpopo, just over half the people speak Sepedi, followed by Xitsonga and Tshivenda.

## **10. OFFICIAL LANGUAGE USAGE**

The Regulator draws a distinction between communication that is meant for business purposes directed at government departments, public entities and enterprises and business organisations, and communication for public participation initiatives directed at members of the public.

The Regulator adopts and approves that English will be the official working language for business communication.

The Regulator adopts four official languages for public participation initiatives, namely English, Afrikaans, isiZulu and Sesotho. As far as practically possible, the Regulator will make every effort to use the other official languages of the Republic of South Africa (taking into consideration both the resources available and the imperatives of the Constitution).

The Regulator will take into account regional language usage.

### **10.1 Language of Record**

The language of written internal record in the Regulator will be English. All documents that need to be archived must, for practical administrative reasons, be available in English as the language of record.

### **10.2 Language of Communication**

The languages used for internal and external communication will be guided by functional multilingualism, i.e. the purpose and context of the communication, the availability of resources and the target audience will determine the choice of languages.

#### *10.2.1 Internal spoken communication*

10.2.1.1 English is the working language in all internal communication.

10.2.1.2 English is the working language spoken in meetings of the Energy Regulator and its subcommittees and committees.

10.2.1.3 In general, disciplinary hearings, job interviews and performance assessments in

the Regulator will be conducted in English, provided that translation or interpreting services will be made available during disciplinary hearings on request.

#### 10.2.2 *External spoken communication*

10.2.2.1 The Regulator adopts English as its official working language for external spoken communication for business purposes.

10.2.2.3 The Regulator further adopts and agrees to use the official languages as set out in Table 4 for public participation initiatives, such as at public hearings, stakeholder workshops and customer education programmes. The Regulator must provide for translation services from and into any of these official languages during such initiatives. The Regulator must also provide for sign language translators / interpreters for members of the public whose language of choice is South African sign language.

**Table 4: Official languages to be used for public participation initiatives**

Province	Language
Gauteng	English, isiZulu, SeSotho
Western Cape	English, Afrikaans, isiXhosa
Northern Cape	English, Afrikaans, SeTswana
Eastern Cape	English, isiXhosa, Afrikaans
KwaZulu-Natal	English, isiZulu, isiXhosa
Mpumalanga	English, isiZulu, SiSwati, isiNdebele
Limpopo	English, SePedi, Tshivenda, Xitsonga
Free State	English, SeSotho, Afrikaans
North West	English, SeTswana, isiXhosa, Afrikaans

#### 10.2.3 *Internal written communication*

10.2.3.1 To promote operational efficiency, English will be the working language of the Regulator.

10.2.3.2 The Regulator's policies, procedures, conditions of service, human resource information, health and safety information and other strategic documents will be

available in English, but translations will be made available into any of the other official languages adopted by the Regulator on request.

10.2.3.3 All the Regulator's documents that need to be archived must, for practical administrative reasons, be available in the original language and English as the language of record.

10.2.3.4 The use of plain language in internal Regulator documents must be encouraged to facilitate understanding and improve communication.

#### *10.2.4 External written communication*

10.2.4.1 The Regulator draws a distinction between written communication for official business purposes, such as letters, licences, tariff determinations, strategic documents and quarterly reports, and written communication for public participation purposes, such as notices for public hearings or stakeholder workshops.

10.2.4.2 English will be the official working language of the Regulator for its external written communication for business purposes directed at government departments, public entities and enterprises and business organisations.

10.2.4.3 Written communication for public participation purposes will simultaneously be available in all four official languages adopted by the Regulator.

10.2.4.4 Requests for access to information made in terms of the Promotion of Access to Information Act will be translated into any of the 11 official languages of South Africa on request.

10.2.4.5 Energy Regulator documents will carry a footnote stating that the document may be made available in any of the official languages adopted by the Regulator. The website of the Regulator will also carry a note that any of the information on the website may be made available in any of the official languages adopted by the Regulator on request.

10.2.4.6 All external correspondence of the Regulator must be translated into the official language in which the original communication was received, provided that an

English translation of the document is archived for record purposes if necessary.

10.2.4.7 All Energy Regulator documents that need to be archived must, for practical administrative reasons, be available in English as the language of record.

10.2.4.8 The use of plain language in external documents must be encouraged to facilitate understanding and improve communication.

## **11. INTERNATIONAL COMMUNICATION**

The Regulator communication at international level will be in English.

## **12. LANGUAGE PROMOTION**

The Language unit and the Communication and Stakeholder Management unit will be instrumental in guiding the Regulator in programmes that will enhance the promotion of official and other languages in line with the Constitution.

The extent to which the language promotion and development occurs will depend on budget allocations and availability of resources.

## **13 COMPLAINTS MECHANISM**

Any person who is dissatisfied with a decision of the Regulator regarding its use of official language policy may lodge a complaint addressed to the Chief Executive Officer. A complaint must be addressed to the street address, or postal address or by fax or email.

A complaint must be in writing, be lodged within three months of the cause of the complaint arising, state the details of the complainant, and provide a full and detailed description of the complaint.

The complaint must be dealt with in accordance with the provisions of the Regulations.

#### **14. IMPLEMENTATION STRATEGY**

This policy will be phased in, so as to have enough time to build financial and human capacity for successful full-scale implementation. A phased-in approach will also make room for evaluating and monitoring the application of the policy. This will assist in ensuring that the policy is reviewed regularly and that corrective measures are taken at set intervals.

The following strategies will be employed to ensure the successful implementation of this policy:

- a) providing interpreting services at meetings, disciplinary hearings, public hearings, stakeholder workshops and other relevant forums;
- b) facilitating communication in the different languages at the Regulator offices and other venues used by the Regulator;
- c) translating information documents into the official languages of the Regulator;
- d) creating terminology that will help develop the official languages of the Regulator, especially the official African languages;
- e) ensuring that the Regulator signage appears in at least three official languages;
- f) ensuring that the Regulator website, as a public tool, reflects multilingualism.

The establishment of additional structures and the demand for access to public information in the language of choice of members of the public, as well as the use of these languages when dealing with the Regulator, will have an impact on staff development.

#### **15 AVAILABILITY OF POLICY**

The policy will be available in all the official languages adopted by the Regulator. It will be available on the website and in hard copy from the Knowledge Management Centre.

#### **16 REVIEW**

The policy will be reviewed every five years if required.

#### **17 APPROVAL**

This policy is approved by the Energy Regulator.

## DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 324

07 APRIL 2017

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998  
(ACT NO. 107 OF 1998)****AMENDMENT OF THE ENVIRONMENTAL IMPACT ASSESSMENT  
REGULATIONS LISTING NOTICE 3 OF 2014**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby amend the Environmental Impact Assessment Regulations Listing Notice 3 of 2014, published under Government Notice No. 985 in Gazette No. 38282 on 4 December 2014 in terms of sections 24(2), 24(5), 24D and 44, read with section 47A(1)(b) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as set out in the Schedule hereto.

For ease of reading the full text of the existing list, with the amendments indicated, is published. The amendments take effect on the date that these amendments are published in the *Gazette*.



**BOMO EDITH EDNA MOLEWA  
MINISTER OF ENVIRONMENTAL AFFAIRS**

## SCHEDULE

### GENERAL EXPLANATORY NOTE:

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

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

### PURPOSE

1. The purpose of this Notice is to list activities and identify competent authorities under sections 24(2), 24(5) and 24D of the Act, where environmental authorisation is required prior to commencement of that activity in specific identified geographical areas only.

### DEFINITIONS

2. (1) In this Notice, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned, and unless the context otherwise indicates—

**“aquatic critical biodiversity areas”** means linkages between catchment, important rivers and sensitive estuaries whose safeguarding is critically required in order to meet biodiversity pattern and process thresholds and are spatially defined as part of a bioregional plan or systematic biodiversity plan, available on the South African National Biodiversity Institute’s BGIS website (<http://bgis.sanbi.org/WCBF14/project.asp>);

**“bioregional plan”** means the bioregional plan contemplated in Chapter 3 of the National Environmental Management Biodiversity Act, 2004 (Act No. 10 of 2004);

**“buffer area”** means, unless specifically defined, an area extending 10 kilometres from the proclaimed boundary of a world heritage site or national park and 5 kilometres from the proclaimed boundary of a nature reserve, respectively, or that defined as such for a biosphere;

**“dangerous goods”** means goods containing any of the substances as contemplated in South African National Standard No. 10234, supplement 2008 1.00: designated “List of classification and labelling of chemicals in accordance with the Globally Harmonized Systems (GHS)” published by Standards South Africa, and where the presence of such goods, regardless of quantity, in a blend or mixture, causes such blend or mixture to have one or more of the characteristics listed in the Hazard Statements in section 4.2.3, namely physical hazards, health hazards or environmental hazards;



**“dam”** when used in these Regulations means any barrier dam and any other form of impoundment used for the storage of water, excluding reservoirs;

**“development”** means the building, erection, construction or establishment of a facility, structure or infrastructure, including associated earthworks or borrow pits, that is necessary for the undertaking of a listed or specified activity, **[including any associated post development monitoring]** but excludes any modification, alteration or expansion of such a facility, structure or infrastructure, including associated earthworks or borrow pits, and excluding the redevelopment of the same facility in the same location, with the same capacity and footprint;

**“development footprint”** means any evidence of physical alteration as a result of the undertaking of any activity;

**“development setback”** means a setback line defined or adopted by the competent authority;

**“estuarine functional zone”** means the area in and around an estuary which includes the open water area, estuarine habitat (*such as sand and mudflats, rock and plant communities*) and the surrounding floodplain area, as defined by the area below the 5 m topographical contour (*referenced from the indicative mean sea level*);

**“expansion”** means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased;

**“Gauteng Agricultural Potential Atlas”** means the Gauteng Agricultural Potential Atlas, which can be obtained from the Gauteng Provincial Department responsible for environmental affairs;

**“Gauteng Conservation Plan”** means a systematic conservation planning tool delineating biodiversity priority areas representative of biodiversity pattern, process and species of special concern, which areas have been identified in three broad categories; namely, Critical Biodiversity Areas (CBAs), Ecological Support Areas (ESAs) and Protected Areas;

**“Gauteng Protected Area Expansion Strategy”** means a framework for protected area expansion in Gauteng, setting out key strategies for protected area expansion and identifying spatial priorities and protected area targets and is aligned to the National Protected Area Expansion Strategy as it identifies finer scaled provincial priorities based on regional and local conservation imperatives;

**“Important Bird and Biodiversity Areas (IBA)”** means areas / sites that hold significant numbers of globally and/or regionally threatened species (Categories A1 and C1); sites that are known or thought to hold a significant component of a group of species whose breeding distributions define an Endemic Bird Area (EBA) (Category A2); sites that are known or thought to

hold a significant component of a group of species whose distributions are largely or wholly confined to one biome (Category A3);

**“indigenous vegetation”** refers to vegetation consisting of indigenous plant species occurring naturally in an area, regardless of the level of alien infestation and where the topsoil has not been lawfully disturbed during the preceding ten years;

**“industrial complex”** means an area used or zoned for industrial purposes, including bulk storage, manufacturing, processing or packaging purposes;

**“maintenance”** means actions performed to keep a structure or system functioning or in service on the same location, capacity and footprint;

**“maintenance management plan”** means a management plan for maintenance purposes defined or adopted by the competent authority;

**“National Protected Area Expansion Strategy (NPAES)”** means South Africa's national strategy for expansion of the protected area network, led by the National Department responsible for environmental affairs and developed in collaboration with national and provincial conservation authorities. The NPAES sets targets for protected area expansion, provides maps of the most important areas for protected area expansion, and makes recommendations on mechanisms for protected area expansion. Focus areas for protected area expansion are identified in the NPAES. They are large, intact, unfragmented areas of high importance for land-based protected area expansion, suitable for the creation or expansion of large protected areas;

**“NEMBA”** means the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004);

**“NEMPAA”** means the National Environmental Management: Protected Areas Act, 2003 (Act No. 57 of 2003);

**“phased activities”** means an activity that is developed in phases over time on the same or adjacent properties to create a single or linked entity<sup>[;]</sup>, but excludes any activity for which an environmental authorisation has been obtained in terms of the Act or the Environment Conservation Act, 1989 (Act No. 73 of 1989);

**“previous NEMA notices”** as contemplated in these transitional arrangements means the previous notices published in terms of section 24(2) of NEMA (Government Notices No. R. 386 and R. 387 in the *Government Gazette* of 21 April 2006, as amended, or Government Notices No. R. 544, R. 545 and R. 546 in the *Government Gazette* of 18 June 2010, as amended, or Government Notices No. R 983, R. 984 and R. 985 in the *Government Gazette* of 4 December 2014;

**“protected area”** means those protected areas contemplated in section 9 of the NEMPAA and the core area of a biosphere reserve and shall include their buffers;

**“sites or areas listed in terms of an international convention”** means any area and its buffer, unless specifically defined, of 5 kilometres extending from its listed boundary, listed in terms of an international convention but does not include world heritage sites, and shall include but not be limited to the Ramsar Convention on Wetlands (Ramsar, Iran, 1971);

**“systematic biodiversity plan”** is a plan that identifies important areas for biodiversity conservation, taking into account biodiversity patterns (i.e. the principle of representation) and the ecological and evolutionary processes that sustain them (i.e. the principle of persistence). A systematic biodiversity plan must set quantitative targets/thresholds for aquatic and terrestrial biodiversity features in order to conserve a representative sample of biodiversity pattern and ecological processes;

**“the Act”** means the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended;

**“throughput capacity”** means the design capacity or maximum capable capacity of a facility, structures or infrastructure, whichever is the greater;

**“urban areas”** means areas situated within the urban edge (as defined or adopted by the competent authority), or in instances where no urban edge or boundary has been defined or adopted, it refers to areas situated within the edge of built-up areas;

**“watercourse”** means –

- (a) a river or spring;
- (b) a natural channel in which water flows regularly or intermittently;
- (c) a wetland, pan, lake or dam into which, or from which, water flows; and
- (d) any collection of water which the Minister may, by notice in the *Gazette*, declare to be a watercourse as defined in the National Water Act, 1998 (Act No. 36 of 1998); and

a reference to a watercourse includes, where relevant, its bed and banks; and

**“wetland”** means land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is periodically covered with shallow water, and which land in normal circumstances supports or would support vegetation typically adapted to life in saturated soil.

- (2) The following words relevant to coastal activities will have the meaning [so] assigned to it in the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008):

- a) “estuary”;
  - b) “high-water mark”;
  - c) “littoral active zone”;
  - d) “sea”; and
  - e) “seashore”.
- (3) The following words will have the meaning assigned to them in terms of section 1 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002):
- a) “mineral”;
  - b) “petroleum”; and
  - c) “prospecting”.
3. (1) The activities listed in Appendix 1 are identified in terms of section 24(2)(a) of the Act as activities that may not commence without an environmental authorisation from the competent authority.
- (2) The investigation, assessment and communication of potential impact of activities must follow the procedure as prescribed in regulations 19 and 20 of the Environmental Impact Assessment Regulations published in terms of section 24(5) of the Act.
- [(3) Where Listing Notice 4 applies, an application for environmental authorisation must be submitted for an activity contemplated in that Notice and not for an activity contemplated in this Notice.]**

#### **REPEAL OF NOTICE 546 OF 18 June 2010**

4. Notice No. 546 published in Government Gazette 33306 on 18 June 2010 is hereby repealed.

#### **SHORT TITLE**

5. This Listing Notice is called Environmental Impact Assessment Regulations Listing Notice 3 of 2014, and takes effect on 08 December 2014.

## APPENDIX 1

**Identification of competent authority:** The competent authority in respect of the activities listed in this part of the Notice is the competent authority in the province in which the activity is to be undertaken, unless—

- a) it is an application for an activity contemplated in section 24C(2) of the Act, in which case the competent authority is the Minister or an organ of state with delegated powers in terms of section 42(1) of the Act;
- b) the listed or specified activity is or is directly related to—
  - i. prospecting or exploration of a mineral or petroleum resource; or
  - ii. extraction and primary processing of a mineral or petroleum resource;
 in which case the competent authority is the Minister responsible for mineral resources.

The exception mentioned in (b) above does not apply to the following activities contained in this Notice: 5; 6; 9; 11; 13; 17; 21; 24; 25 and 26.

Activity number	Activity description	Geographical areas based on environmental attributes	[Identification of competent authority]
1.	The development of billboards exceeding 18 square metres in size outside urban areas, mining areas or industrial complexes.	<p><b>a. Eastern Cape</b></p> <ol style="list-style-type: none"> <li>i. A protected area identified in terms of NEMPAA, excluding conservancies;</li> <li>ii. National Protected Area Expansion Strategy Focus areas;</li> <li>iii. World Heritage Sites;</li> <li>iv. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</li> <li>v. Sites or areas identified in terms of an international convention;</li> <li>vi. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</li> <li>vii. Core areas in biosphere reserves;</li> <li>viii. Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</li> </ol>	<p>[The competent authority in respect of the activities listed in this part of the Notice is the competent authority in the province in which the activity is to be undertaken, unless—</p> <p>(a) it is an application for an activity contemplated in section 24C(2) of the Act, in which case the competent</p>

<p>ix. Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</p> <p>x. In an estuarine functional zone, excluding areas falling behind the development setback line.</p>			<p>authority is the Minister or an organ of state with delegated powers in terms of section 42(1) of the Act;</p> <p>(b) the listed or specified activity is or is directly related to—</p> <p>(i) prospecting or exploration of a mineral or petroleum resource; or</p> <p>(ii) extraction and primary processing of a mineral or petroleum resource;</p> <p>in which case the competent authority is the Minister responsible for mineral resources.</p> <p>The exception mentioned in (b) above does not apply to the following activities</p>
<p><b>b. Free State</b></p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. National Protected Area Expansion Strategy Focus areas;</p> <p>iii. World Heritage Sites;</p> <p>iv. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>v. Sites or areas identified in terms of an international convention;</p> <p>vi. Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>vii. Core areas in biosphere reserves; or</p> <p>viii. Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.</p>			
<p><b>c. Gauteng</b></p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. National Protected Area Expansion Strategy Focus Areas;</p> <p>iii. Gauteng Protected Area Expansion Priority Areas;</p> <p>iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p> <p>v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</p> <p>vi. Important Bird and Biodiversity Areas (IBA);</p> <p>vii. Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</p>			



			<p>viii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>ix. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>x. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>xi. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> <p><b>d. KwaZulu-Natal</b></p> <p>i. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>ii. <u>Community Conservation Areas;</u></p> <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iv. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>v. <u>World Heritage Sites;</u></p> <p>vi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p> <p>x. <u>In an estuarine functional zone;</u></p> <p>xi. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose;</u></p> <p>xii. <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>xiii. <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.</u></p> <p><b>e. Limpopo</b></p>	<p>contained in this Notice:</p> <p>5; 6; 9; 11; 13; 17; 21; 24; 25; and 26.]</p>
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		<p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>iii. <u>World Heritage Sites;</u></p> <p>iv. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>v. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vi. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>vii. <u>Core areas in biosphere reserves; or</u></p> <p>viii. <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve.</u></p>
		<p><b>f. Mpumalanga</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>iii. <u>World Heritage Sites;</u></p> <p>iv. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>v. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vi. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>vii. <u>Core areas in biosphere reserves; or</u></p> <p>viii. <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation.</u></p>
		<p><b>g. Northern Cape</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p>



		<p>ii. <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>iii. <u>World Heritage Sites;</u></p> <p>iv. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>v. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vi. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>vii. <u>Core areas in biosphere reserves;</u></p> <p>viii. <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>ix. <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>x. <u>In an estuary.</u></p>
		<p><b><u>h. North West</u></b></p> <p>i. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>ii. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>iii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>iv. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or a biosphere reserve;</u></p> <p>v. <u>Any protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation; or</u></p> <p>vi. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999).</u></p>
		<p><b><u>i. Western Cape</u></b></p>

2.	The development of reservoirs, <b>for bulk water supply</b> excluding dams, with a capacity of more than 250 cubic metres.	<p>i. <u>All areas outside urban areas, mining areas or industrial complexes.</u></p> <p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Outside urban areas, in:</u></p> <p>(aa) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ee) <u>Core areas in biosphere reserves;</u></p> <p>(ff) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>(gg) <u>In an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas seawards of the development setback line or within urban protected areas.</u></p> <p><b>b. <u>Free State</u></b></p> <p>i. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p>
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		<p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ee) <u>Core areas in biosphere reserves; or</u></p> <p>(ff) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within urban protected areas.</u></p> <p><b>c. Gauteng</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p>
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		<p>viii. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>ix. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>x. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>xi. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p><b>d. KwaZulu-Natal</b></p> <p>i. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>ii. <u>Community Conservation Areas;</u></p> <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iv. <u>World Heritage Sites;</u></p> <p>v. <u>In an estuarine functional zone;</u></p> <p>vi. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p> <p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u></p> <p>(aa) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p>
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	<p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(cc) <u>Within urban protected areas.</u></p>	
	<p><b>e. <u>Limpopo</u></b></p> <p>i. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ee) <u>Core areas in biosphere reserves; or</u></p> <p>(ff) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within urban protected areas.</u></p>	

	<p><b>f. Mpumalanga</b></p> <p>i. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ee) <u>Core areas in biosphere reserves; or</u></p> <p>(ff) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</u></p>	
	<p><b>g. Northern Cape</b></p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>iii. <u>Outside urban areas:</u></p> <p>(aa) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Sites or areas identified in terms of an international convention;</u></p>	

		<p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ee) <u>Core areas in biosphere reserves;</u></p> <p>(ff) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(gg) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>iv. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas seawards of the development setback line or within urban protected areas.</u></p>
		<p><b>h. North West</b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation; or</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999).</u></p>
		<p><b>i. Western Cape</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>In areas containing indigenous vegetation; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p>

		(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</u>	
<b>3.</b>	The development of masts or towers of any material or type used for telecommunication broadcasting or radio transmission purposes where the mast or tower— (a) is to be placed on a site not previously used for this purpose; and (b) will exceed 15 metres in height—  but excluding attachments to existing buildings and masts on rooftops.	<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ii) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>b. <u>Free State</u></b></p> <p>i. <u>Outside urban areas:</u></p>	



		<p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
		<p><b>c. Gauteng</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p>

		<p>viii. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>ix. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>x. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>xi. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p><b>d. KwaZulu-Natal</b></p> <p>i. <u>In an estuarine functional zone;</u></p> <p>ii. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>iii. <u>Community Conservation Areas;</u></p> <p>iv. <u>World Heritage Sites;</u></p> <p>v. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>vi. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p> <p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u></p> <p>(aa) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve; or</u></p>
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		<p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(bb) <u>Within urban protected areas;</u></p> <p>(cc) <u>Areas zoned for use as public open space; or</u></p> <p>(dd) <u>Areas within 1 kilometre from terrestrial protected areas identified in terms of NEMPAA.</u></p>
		<p><b>e. <u>Limpopo</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p>

		<p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b><u>f. Mpumalanga</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, where such areas comprise indigenous vegetation; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b><u>g. Northern Cape</u></b></p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p>
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		<p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve; or</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>h. <u>North West</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA;</u></p> <p>(bb) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(cc) <u>Ramsar sites; or areas identified in terms of an international convention;</u></p> <p>(dd) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>(ee) <u>Core areas in biosphere reserves; or</u></p>
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		<p>(ff) <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or a biosphere reserve.</u></p> <p><b>i. <u>Western Cape</u></b></p> <p>i. <u>All areas outside urban areas;</u></p> <p>ii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, within urban areas; or</u></p> <p>iii. <u>Areas zoned for use as public open space or equivalent zoning within urban areas.</u></p>
4.	The development of a road wider than 4 metres with a reserve less than 13,5 metres.	<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding disturbed areas;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ii) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>ii. <u>Inside urban areas:</u></p>

		<p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Seawards of the development setback line or within urban protected areas.</u></p> <p><b>b. Free State</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding disturbed areas;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within urban protected areas.</u></p> <p><b>c. Gauteng</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p>
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		<p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> <p>viii. <u>Important Bird and Biodiversity Area (IBA);</u></p> <p>ix. <u>Sites or areas identified in terms of an international convention;</u></p> <p>x. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>xi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>xii. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p>
		<p><b>d. KwaZulu-Natal</b></p> <p>i. <u>In an estuarine functional zone;</u></p> <p>ii. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>iii. <u>Community Conservation Areas;</u></p> <p>iv. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>v. <u>World Heritage Sites;</u></p> <p>vi. <u>A protected area identified in terms of NEMPAA;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p>



		<p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u></p> <p>(aa) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve; or</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(cc) <u>Within urban protected areas.</u></p> <p><b>e. <u>Limpopo</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding disturbed areas;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p>
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		<p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within urban protected areas.</u></p> <p><b><u>f. Mpumalanga</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding disturbed areas;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas, where such areas comprise indigenous vegetation; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b><u>g. Northern Cape</u></b></p>
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		<p>i. <u>In an estuary;</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding disturbed areas;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, excluding disturbed areas; or</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Seawards of the development setback line or within urban protected areas.</u></p> <p><b>h. <u>North West</u></b></p> <p>i. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>ii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>iii. <u>Sites or areas identified in terms of an international convention;</u></p>
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		<p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Core areas in biosphere reserves;</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from a biosphere reserve;</u></p> <p>vii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>viii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999).</u></p>
		<p><b>i. <u>Western Cape</u></b></p> <p>i. <u>Areas zoned for use as public open space or equivalent zoning;</u></p> <p>ii. <u>Areas outside urban areas;</u></p> <p>(aa) <u>Areas containing indigenous vegetation;</u></p> <p>(bb) <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for conservation use; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</u></p>
5.	The development of resorts, lodges, hotels, [and] tourism or hospitality facilities that sleep less than 15 people.	<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>A protected area identified in terms of the NEMPAA;</u></p> <p>ii. <u>Outside urban areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>iii. <u>Outside urban areas:</u></p> <p>(aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p>

		<p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(cc) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u></p> <p>(dd) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>iv. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>b. Free State</b></p> <p>i. <u>A protected area identified in terms of the NEMPAA;</u></p> <p>ii. <u>Outside urban areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>iii. <u>Outside urban areas:</u></p> <p>(aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</u></p> <p>(bb) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u></p> <p>iv. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>c. Gauteng</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p>
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		<p>iii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>iv. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>v. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vi. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>vii. <u>Important Bird and Biodiversity Area (IBA);</u></p> <p>viii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> <p>ix. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>x. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> <p><b>d. KwaZulu-Natal</b></p> <p>i. <u>A protected area identified in terms of the NEMPAA;</u></p> <p>ii. <u>Outside urban areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>iii. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>iv. <u>Community Conservation Areas;</u></p> <p>v. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>vi. <u>Provincial Protected Area Expansion Strategy Focus areas;</u></p> <p>vii. <u>In an estuarine functional zone;</u></p> <p>viii. <u>World Heritage Sites;</u></p> <p>ix. <u>A protected area identified in terms of NEMPAA;</u></p> <p>x. <u>Sites or areas identified in terms of an international convention;</u></p>
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		<p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>xiii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xiv. <u>Outside urban areas:</u>            (aa) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u>            (bb) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>xv. <u>Inside urban areas:</u>            (aa) <u>Areas zoned for use as public open space; or</u>            (bb) <u>Areas seawards of the development setback line or within 100m from the high-water mark of the sea if no such development setback line is determined.</u></p>
		<p><b>e. Limpopo</b></p> <p>i. <u>A protected area identified in terms of the NEMPAA;</u></p> <p>ii. <u>Outside urban areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>iii. <u>Outside urban areas:</u>            (aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</u>            (bb) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse; or</u></p> <p>iv. <u>Inside urban areas:</u></p>

		<p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
		<p><b>f. Mpumalanga</b></p> <p>i. <u>A protected area identified in terms of the NEMPAA;</u></p> <p>ii. <u>Outside urban areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation.</u></p> <p>iii. <u>Outside urban areas:</u></p> <p>(aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</u></p> <p>(bb) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u></p> <p>iv. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
		<p><b>g. Northern Cape</b></p> <p>i. <u>A protected area identified in terms of the NEMPAA;</u></p> <p>ii. <u>Outside urban areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>iii. <u>In an estuary;</u></p> <p>iv. <u>Outside urban areas:</u></p> <p>(aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p>



		<p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>v. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
		<p><b><u>h. North West</u></b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; or</u></p> <p>vi. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p>
<b>6.</b>	The development of resorts, lodges, hotels, [and] tourism or	<p><b><u>a. Eastern Cape</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p>

	hospitality facilities that sleeps 15 people or more.	<p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(ii) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(jj) <u>An estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(kk) <u>A watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>b. Free State</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p>
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		<p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(hh) <u>Areas within a watercourse or wetland, or within 100 metres of the edge of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
		<p><b>c. Gauteng</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p>

		<p>viii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> <p>ix. <u>Important Bird and Biodiversity Area (IBA);</u></p> <p>x. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>xi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>xii. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> <p><b>d. <u>KwaZulu-Natal</u></b></p> <p>i. <u>In an estuarine functional zone;</u></p> <p>ii. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>iii. <u>Community Conservation Areas;</u></p> <p>iv. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>v. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>vi. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>viii. <u>Core areas in biosphere reserves;</u></p> <p>ix. <u>World Heritage Sites;</u></p> <p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u></p> <p>(aa) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p>
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	<p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 100m from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(cc) <u>Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</u></p>	
	<p><b>e. Limpopo</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(hh) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse; or</u></p>	

		<p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
		<p><b>f. Mpumalanga</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation; or</u></p> <p>(hh) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
		<p><b>g. Northern Cape</b></p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>Outside urban areas:</u></p>

		<p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ii) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>h. North West</b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p>
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		<p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; or</u></p> <p>vi. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b>i. <u>Western Cape</u></b></p> <p>i. <u>Inside a protected area identified in terms of NEMPAA;</u></p> <p>ii. <u>Outside urban areas;</u></p> <p>(aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</u></p> <p>(bb) <u>Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; -</u></p> <p><u>excluding the conversion of existing buildings where the development footprint will not be increased.</u></p>
7.	The development of aircraft landing strips and runways 1,4 kilometres and shorter.	<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p>



		<p>(hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core of a biosphere reserve;</u></p> <p>(ii) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(ji) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(kk) <u>An estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(ll) <u>A watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>b. Free State</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p>
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		<p>(hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core of a biosphere reserve; or</u></p> <p>(ii) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>c. <u>Gauteng</u></b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> <p>viii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>ix. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>x. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>xi. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p>
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	<p>xii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p><b>d. KwaZulu-Natal</b></p> <p>i. <u>In an estuarine functional zone;</u></p> <p>ii. <u>Community Conservation Areas;</u></p> <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iv. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>v. <u>World Heritage Sites;</u></p> <p>vi. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>viii. <u>Core areas in biosphere reserves;</u></p> <p>ix. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>x. <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core of a biosphere reserve;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u></p> <p>(aa) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(bb) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 100m high-water mark of the sea if no such development setback line is determined.</u></p>	

	<p><b>e. Limpopo</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p> <p>(hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core of a biosphere reserve; or</u></p> <p>(ii) <u>A watercourse; or within 100 metres from the edge of a watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>	
	<p><b>f. Mpumalanga</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p>	

		<p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p> <p>(hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core of a biosphere reserve, where such areas comprise indigenous vegetation; or</u></p> <p>(ii) <u>A watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>g. Northern Cape</b></p> <p>i. <u>In an estuary:</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p>
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		<p>(hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core of a biosphere reserve;</u></p> <p>(ii) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(jj) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b><u>h. North West</u></b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; or</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve.</u></p> <p><b><u>i. Western Cape</u></b></p> <p>i. <u>All areas outside urban areas.</u></p> <p><b><u>a. Eastern Cape</u></b></p>
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	The development and related operation of above ground cableways and funiculars.	<p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(cc) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(dd) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ee) <u>Within a watercourse.</u></p> <p><b>b. Free State</b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b>c. Gauteng</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>iii. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>iv. <u>Sites or areas identified in terms of an international convention;</u></p>
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		<p>v. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>vi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>vii. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>viii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p><b>d. KwaZulu-Natal</b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>In an estuarine functional zone;</u></p> <p>(bb) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(cc) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(ff) <u>Areas zoned for use as public open space;</u></p> <p>(gg) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(hh) <u>Areas within a watercourse or wetland;</u></p> <p>(ii) <u>Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or</u></p>
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		<p>(jj) <u>Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</u></p>
	<p><b><u>e. Limpopo</u></b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse.</u></p>	
	<p><b><u>f. Mpumalanga</u></b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland.</u></p>	
	<p><b><u>g. Northern Cape</u></b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p>	

		<p>(dd) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.</u></p> <p><b><u>h. North West</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area or within world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA;</u></p> <p>(bb) <u>Core areas in biosphere reserves or 5 kilometres from the core areas of a biosphere reserve;</u></p> <p>(cc) <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention; or</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>iii. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b><u>i. Western Cape</u></b></p> <p>i. <u>All areas outside urban areas.</u></p> <p><b><u>a. Eastern Cape</u></b></p> <p>i. <u>All areas outside urban areas; or</u></p>
<b>9.</b>	The development and related	

	operation of zip-lines or foefie-sides exceeding 100 metres in length.	<p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(cc) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(dd) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ee) <u>Within a watercourse.</u></p> <p><b>b. Free State</b></p> <p>i. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland;</u></p> <p>ii. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>iii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in bioregional plans;</u></p> <p>iv. <u>Sites or areas identified in terms of an international convention;</u></p> <p>v. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>vi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>vii. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>viii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p><b>c. Gauteng</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p>
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		<p>ii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>iii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>iv. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>v. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>vi. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>vii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p><b>d. KwaZulu-Natal</b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>In an estuarine functional zone;</u></p> <p>(cc) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(ff) <u>Areas zoned for use as public open space;</u></p> <p>(gg) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(hh) <u>Areas within a watercourse or wetland;</u></p>
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		<p>(ii) <u>Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ji) <u>Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</u></p>
		<p><b>e. Limpopo</b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse.</u></p>
		<p><b>f. Mpumalanga</b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland.</u></p>
		<p><b>g. Northern Cape</b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p>

		<p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>(dd) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.</u></p>
		<p><b>h. North West</b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve;</u></p> <p>iii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iv. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>v. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>vi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; or</u></p> <p>vii. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p>
<b>10.</b>	The development and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good,	<p><b>a. Eastern Cape</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p>

	where such storage occurs in containers with a combined capacity of 30 but not exceeding 80 cubic metres.	<p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(ii) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(jj) <u>Within 500 metres of an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>(kk) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(ll) <u>Within a watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Within 500 metres of an estuarine functional zone, excluding areas falling behind the development setback line.</u></p> <p><b>b. Free State</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p>
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		<p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve; or</u></p> <p>(hh) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
		<p><b>c. Gauteng</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p>



		<p>viii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>ix. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>x. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>xi. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>xii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p><b>d. KwaZulu-Natal</b></p> <p>i. <u>In an estuarine functional zone;</u></p> <p>ii. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>iii. <u>Community Conservation Areas;</u></p> <p>iv. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>v. <u>World Heritage Sites;</u></p> <p>vi. <u>Within 500 metres of an estuarine functional zone;</u></p> <p>vii. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>viii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>ix. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>x. <u>Core areas in biosphere reserves;</u></p> <p>xi. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xiii. <u>Outside urban areas:</u></p> <p>(aa) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve;</u></p>
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	<p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>xiv. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined;</u></p> <p><b>e. <u>Limpopo</u></b></p> <p>i. <u>All areas.</u></p> <p><b>f. <u>Mpumalanga</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve, where such areas comprise indigenous vegetation; or</u></p>	

		<p>(hh) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>g. <u>Northern Cape</u></b></p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland;</u></p> <p>iii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ii) <u>Within 500 metres of an estuary; or</u></p> <p>iv. <u>Inside urban areas:</u></p>
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		<p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Within 500 metres of an estuary.</u></p>
		<p><b><u>h. North West</u></b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; or</u></p> <p>vi. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p>
		<p><b><u>i. Western Cape</u></b></p> <p>i. <u>Areas zoned for use as public open space or equivalent zoning;</u></p> <p>ii. <u>All areas outside urban areas; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas seawards of the development setback line or within 200 metres from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(bb) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined; or</u></p>

11.	The development of tracks or routes for the testing, recreational use or outdoor racing of motor powered vehicles excluding conversion of existing tracks or routes for the testing, recreational use or outdoor racing of motor powered vehicles.	<p>(cc) <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</u></p> <p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>ii. <u>In areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>iii. <u>Within areas of indigenous vegetation outside urban areas.</u></p> <p><b>b. <u>Free State</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core of a biosphere reserve; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>c. <u>Gauteng</u></b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p>
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ii.	<u>Gauteng Protected Area Expansion Priority Areas;</u>	
iii.	<u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u>	
iv.	<u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u>	
v.	<u>Sites or areas identified in terms of an international convention;</u>	
vi.	<u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u>	
vii.	<u>Important Bird and Biodiversity Area (IBA);</u>	
viii.	<u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u>	
ix.	<u>Sites zoned for conservation use or public open space or equivalent zoning.</u>	
	<b>d. KwaZulu-Natal</b>	
i.	<u>In an estuarine functional zone;</u>	
ii.	<u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u>	
iii.	<u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u>	
iv.	<u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u>	
v.	<u>Outside urban areas:</u> (aa) <u>Within areas of indigenous vegetation; or</u> (bb) <u>In areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u>	
vi.	<u>Inside urban areas:</u>	

		<p>(aa) <u>Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(bb) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>(cc) <u>Areas zoned for use as public open space.</u></p> <p><b>e. <u>Limpopo</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core of a biosphere reserve; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>f. <u>Mpumalanga</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p>
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		<p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core of a biosphere reserve, where such areas comprise indigenous vegetation ; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b><u>g. Northern Cape</u></b></p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>In areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>iii. <u>Within areas of indigenous vegetation outside urban areas.</u></p> <p><b><u>h. North West</u></b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p>
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		<p><b>i. <u>Western Cape</u></b></p> <p>i. <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;</u></p> <p>ii. <u>Seawards of the development setback line or within 200 metres of the high water mark of the sea if no such development setback line is determined; or</u></p> <p>iii. <u>Areas of indigenous vegetation outside urban areas.</u></p>
12.	The clearance of an area of 300 square metres or more of indigenous vegetation except where such clearance of indigenous vegetation is required for maintenance purposes undertaken in accordance with a maintenance management plan.	<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</u></p> <p>ii. <u>Within critical biodiversity areas identified in bioregional plans;</u></p> <p>iii. <u>Within the littoral active zone or 100 metres inland from the high water mark of the sea, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</u></p> <p>iv. <u>Outside urban areas, within 100 metres inland from an estuarine functional zone; or</u></p> <p>v. <u>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.</u></p> <p><b>b. <u>Free State</u></b></p> <p>i. <u>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has</u></p>

		<p>been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</p> <p>ii. <u>Within critical biodiversity areas identified in bioregional plans;</u></p> <p>iii. <u>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</u></p> <p>iv. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b>c. Gauteng</b></p> <p>i. <u>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</u></p> <p>ii. <u>Within Critical Biodiversity Areas or Ecological Support Areas identified in the Gauteng Conservation Plan or bioregional plans; or</u></p> <p>iii. <u>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.</u></p> <p><b>d. KwaZulu-Natal</b></p> <p>i. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>ii. <u>Community Conservation Areas;</u></p> <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iv. <u>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</u></p> <p>v. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>vi. <u>Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where</u></p>
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		<p>such removal will occur behind the development setback line on erven in urban areas;</p> <p>vii. <u>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning;</u></p> <p>viii. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ix. <u>World Heritage Sites;</u></p> <p>x. <u>Sites or areas identified in terms of an international convention;</u></p> <p>xi. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; or</u></p> <p>xiii. <u>In an estuarine functional zone.</u></p> <p><b>e. Limpopo</b></p> <p>i. <u>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</u></p> <p>ii. <u>Within critical biodiversity areas identified in bioregional plans; or</u></p> <p>iii. <u>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.</u></p> <p><b>f. Mpumalanga</b></p> <p>i. <u>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</u></p> <p>ii. <u>Within critical biodiversity areas identified in bioregional plans; or</u></p> <p>iii. <u>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning or proclamation in terms of NEMPAA.</u></p>
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		<p><b>g. <u>Northern Cape</u></b></p> <p>i. <u>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</u></p> <p>ii. <u>Within critical biodiversity areas identified in bioregional plans;</u></p> <p>iii. <u>Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuary, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas; or</u></p> <p>iv. <u>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning.</u></p> <p><b>h. <u>North West</u></b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; or</u></p> <p>vi. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b>i. <u>Western Cape</u></b></p> <p>i. <u>Within any critically endangered or endangered ecosystem listed in terms of section 52 of the NEMBA or prior to the publication of such a list, within an area that has been identified as critically endangered in the National Spatial Biodiversity Assessment 2004;</u></p>
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		<p>ii. <u>Within critical biodiversity areas identified in bioregional plans;</u></p> <p>iii. <u>Within the littoral active zone or 100 metres inland from high water mark of the sea or an estuarine functional zone, whichever distance is the greater, excluding where such removal will occur behind the development setback line on erven in urban areas;</u></p> <p>iv. <u>On land, where, at the time of the coming into effect of this Notice or thereafter such land was zoned open space, conservation or had an equivalent zoning; or</u></p> <p>v. <u>On land designated for protection or conservation purposes in an Environmental Management Framework adopted in the prescribed manner, or a Spatial Development Framework adopted by the MEC or Minister.</u></p>
13.	The development and related operation of facilities of any size for any form of aquaculture.	<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>ii. <u>In a Protected Area identified in the NEMPAA;</u></p> <p>iii. <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined; or</u></p> <p>iv. <u>Within a watercourse.</u></p> <p><b>b. <u>Free State</u></b></p> <p>i. <u>In a Protected Area identified in the NEMPAA; or</u></p> <p>ii. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b>c. <u>Gauteng</u></b></p> <p>i. <u>In a Protected Area identified in the NEMPAA;</u></p> <p>ii. <u>Within a watercourse; or</u></p> <p>iii. <u>Areas within 100 metres measured perpendicular outward from the edge of a watercourse.</u></p> <p><b>d. <u>KwaZulu-Natal</u></b></p>

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

		<p>i. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>ii. <u>Community Conservation Areas;</u></p> <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iv. <u>In an estuarine functional zone;</u></p> <p>v. <u>In a Protected Area identified in the NEMPAA;</u></p> <p>vi. <u>World Heritage Sites;</u></p> <p>vii. <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>viii. <u>Areas within a watercourse or wetland;</u></p> <p>ix. <u>Sites or areas identified in terms of an international convention;</u></p> <p>x. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>xi. <u>Core areas in biosphere reserves;</u></p> <p>xii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>xiii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority.</u></p>
		<p><b>e. Limpopo</b></p> <p>i. <u>In a Protected Area identified in the NEMPAA; or</u></p> <p>ii. <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse.</u></p>
		<p><b>f. Mpumalanga</b></p> <p>i. <u>In a Protected Area identified in the NEMPAA; or</u></p> <p>ii. <u>In an aquatic critical biodiversity area.</u></p>
		<p><b>g. Northern Cape</b></p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>In a Protected Area identified in the NEMPAA; or</u></p>



		<p>iii. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b>h. North West</b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999); or</u></p> <p>iv. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b>i. Western Cape</b></p> <p>i. <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;</u></p> <p>ii. <u>In a Protected area identified in terms of NEMPAA; or</u></p> <p>iii. <u>In an aquatic critical biodiversity area.</u></p>
14.	<p>The development of—</p> <p>[(i) <b>canals exceeding 10 square metres in size ;</b></p> <p>(ii) <b>channels exceeding 10 square metres in size;</b></p> <p>(iii) <b>bridges exceeding 10</b></p>	<p><b>a. Eastern Cape</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p>

<p>square metres in size; (iv) dams, where the dam, including infrastructure and water surface area exceeds 10 square metres in size; (v) weirs, where the weir, including infrastructure and water surface area exceeds 10 square metres in size; (vi) bulk storm water outlet structures exceeding 10 square metres in size; (vii) marinas exceeding 10</p>	<p>(gg) <u>Core areas in biosphere reserves;</u> (hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u> (ii) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u> (jj) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u> ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space;</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or</u> (cc) <u>Areas seawards of the development setback line.</u> <b>b. Free State</b> i. <u>Outside urban areas:</u> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>World Heritage Sites;</u> (dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (ee) <u>Sites or areas identified in terms of an international convention;</u> (ff) <u>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (gg) <u>Core areas in biosphere reserves; or</u></p>
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	<p>(hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose.</p>	<p>square metres in size;</p> <p>(viii) jetties exceeding 10 square metres in size;</p> <p>(ix) slipways exceeding 10 square metres in size;</p> <p>(x) buildings exceeding 10 square metres in size;</p> <p>(xi) boardwalks exceeding 10 square metres in size; or</p> <p>(xii) infrastructure or structures with a physical footprint of 10 square metres or more;]</p>
	<p><b>c. Gauteng</b></p> <p>i. A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>ii. National Protected Area Expansion Strategy Focus Areas;</p> <p>iii. Gauteng Protected Area Expansion Priority Areas;</p> <p>iv. Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</p> <p>v. Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</p> <p>vi. Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</p> <p>vii. Sites or areas identified in terms of an international convention;</p> <p>viii. Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</p> <p>ix. Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</p> <p>x. Sites zoned for conservation use or public open space or equivalent zoning.</p>	
	<p><b>d. KwaZulu-Natal</b></p> <p>i. In an estuarine functional zone;</p> <p>ii. Community Conservation Areas;</p> <p>iii. Biodiversity Stewardship Programme Biodiversity Agreement areas;</p>	<p>(i) dams or weirs, where the dam or weir,</p>

	<p>including infrastructure and water surface area exceeds 10 square metres; or</p> <p>(ii) infrastructure or structures with a physical footprint of 10 square metres or more;</p> <p>where such development occurs—</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback has been adopted, within 32</p>	<p>iv. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>v. <u>World Heritage Sites;</u></p> <p>vi. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vii. <u>Critical biodiversity areas or ecological support areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>viii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p> <p>x. <u>Outside urban areas:</u></p> <p>(aa) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>xi. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined.</u></p> <p><b>e. Limpopo</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p>
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	metres of a watercourse, measured from the edge of a watercourse; excluding the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.	<p>(dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(ee) Sites or areas identified in terms of an international convention;</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves; or</p> <p>(hh) Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</p> <p>ii. Inside urban areas:</p> <p>(aa) Areas zoned for use as public open space; or</p> <p>(bb) Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose.</p> <p><b>f. Mpumalanga</b></p> <p>i. Outside urban areas:</p> <p>(aa) A protected area identified in terms of NEMPAA, excluding conservancies;</p> <p>(bb) National Protected Area Expansion Strategy Focus areas;</p> <p>(cc) World Heritage Sites;</p> <p>(dd) Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</p> <p>(ee) Sites or areas identified in terms of an international convention;</p> <p>(ff) Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</p> <p>(gg) Core areas in biosphere reserves; or</p>
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		<p>(hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose.</u></p> <p><b>g. Northern Cape</b></p> <p>i. <u>In an estuary:</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p> <p>(hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>(ii) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p>
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		<p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas seawards of the development setback line.</u></p> <p><b><u>h. North West</u></b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; or</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve.</u></p> <p><b><u>i. Western Cape</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas listed in terms of an international convention;</u></p>
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		<p>(ff) <u>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves; or</u></p> <p>(hh) <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</u></p>
15.	<p>The transformation of land bigger than 1000 square metres in size, to residential, retail, commercial, or industrial institutional use, where, such land was zoned open space, conservation or had an equivalent zoning, on or after 02 August 2010.</p>	<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010;</u></p> <p>(bb) <u>A protected area identified in terms of NEMPAA, excluding conservancies; or</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.</u></p> <p><b>b. <u>Gauteng</u></b></p> <p>i. <u>All areas.</u></p> <p><b>c. <u>Limpopo</u></b></p> <p>i. <u>Inside urban areas.</u></p> <p><b>d. <u>Mpumalanga</u></b></p> <p>i. <u>Inside urban areas; or</u></p> <p>ii. <u>A protected area identified in terms of NEMPAA, excluding conservancies.</u></p> <p><b>e. <u>North West</u></b></p> <p>i. <u>Inside urban areas; or</u></p> <p>ii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.</u></p> <p><b>f. <u>Western Cape</u></b></p> <p>i. <u>Outside urban areas; or</u></p>



16.	The expansion of reservoirs, [for bulk water supply] excluding dams, where the capacity will be increased by more than 250 cubic metres.	<p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for conservation use or equivalent zoning, on or after 02 August 2010;</u></p> <p>(bb) <u>A protected area identified in terms of NEMPAA, excluding conservancies; or</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act as adopted by the competent authority.</u></p>
		<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p> <p>(hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(ii) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose;</u></p>

		<p>(cc) <u>Areas seawards of development setback line or within 100 metres of the high water mark of the sea where the development setback line has not been determined.</u></p>
	<p><b><u>b. Free State</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves; or</u></p> <p>(hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</u></p>	
	<p><b><u>c. Gauteng</u></b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p>	

v.	<u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u>	
vi.	<u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u>	
vii.	<u>Sites or areas identified in terms of an international convention;</u>	
viii.	<u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u>	
ix.	<u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u>	
x.	<u>Sites zoned for conservation use or public open space or equivalent zoning.</u>	
<b>d. KwaZulu-Natal</b>		
i.	<u>Trans-frontier protected areas managed under international conventions;</u>	
ii.	<u>Community Conservation Areas;</u>	
iii.	<u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u>	
iv.	<u>World Heritage Sites;</u>	
v.	<u>In an estuarine functional zone;</u>	
vi.	<u>In a protected area identified in terms of NEMPAA, excluding conservancies;</u>	
vii.	<u>Sites or areas identified in terms of an international convention;</u>	
viii.	<u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u>	
ix.	<u>Core areas in biosphere reserves;</u>	
x.	<u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose;</u>	
xi.	<u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u>	
xii.	<u>Outside urban areas;</u>	

	<p>(aa) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 100 meters from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or</u></p> <p>(dd) <u>Within urban protected areas.</u></p> <p><b>e. <u>Limpopo</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves; or</u></p> <p>(hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p>	

		<p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</u></p> <p><b>f. Mpumalanga</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(cd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves; or</u></p> <p>(hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation ; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose.</u></p> <p><b>g. Northern Cape</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p>
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		<p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves;</u></p> <p>(hh) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(ii) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas seawards of development setback line or within 100 metres of the high water mark of the sea where the development setback line has not been determined.</u></p> <p><b><u>h. North West</u></b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation; or</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999).</u></p> <p><b><u>i. Western Cape</u></b></p>
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		<p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>In areas containing indigenous vegetation; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose, including residential areas.</u></p>	
17.	The expansion of a resort, lodge, hotel, [and] tourism or hospitality facilities where the development footprint will be expanded and the expanded facility can accommodate an additional 15 people or more.	<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ii) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p>	

		<p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation; or</u></p> <p>(cc) <u>Areas seawards of the development set back line or within 100 metres from the high-water mark of the sea if no such development setback line is determined.</u></p>
		<p><b>b. Free State</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation.</u></p>
		<p><b>c. Gauteng</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p>



		<p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention</u></p> <p>viii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> <p>ix. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>x. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>xi. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> <p><b>d. KwaZulu-Natal</b></p> <p>i. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>ii. <u>Community Conservation Areas;</u></p> <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iv. <u>In an estuarine functional zone;</u></p> <p>v. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>vi. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>viii. <u>Core areas in biosphere reserves;</u></p> <p>ix. <u>World Heritage Sites;</u></p> <p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p>
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		<p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u></p> <p>(aa) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 100m from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(cc) <u>Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</u></p>
		<p><b>e. <u>Limpopo</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p>

		<p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation.</u></p>
		<p><b>f. Mpumalanga</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation ; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation.</u></p>
		<p><b>g. Northern Cape</b></p>

	<p>i. <u>In an estuary:</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation; or</u></p> <p>(cc) <u>Areas seawards of the development set back line or within 100 metres from the high-water mark of the sea if no such development setback line is determined.</u></p>	
	<p><b>h. North West</b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p>	

		<p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> or</p> <p>vi. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p>
		<p><b>i. <u>Western Cape</u></b></p> <p>i. <u>Inside a protected area identified in terms of NEMPAA;</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans; or</u></p> <p>(bb) <u>Within 5km from national parks, world heritage sites, areas identified in terms of NEMPAA or from the core area of a biosphere reserve; -</u>  <u>excluding the conversion of existing buildings where the development footprint will not be increased.</u></p>
18.	The widening of a road by more than 4 metres, or the lengthening of a road by more than 1 kilometre.	<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p>

		<p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(ii) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(jj) <u>An estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(kk) <u>A watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>b. Free State</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p>
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		<p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(hh) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>c. <u>Gauteng</u></b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> <p>viii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>ix. <u>Important Bird and Biodiversity Area (IBA);</u></p>
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		<p>x. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>xi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>xii. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p> <p><b>d. KwaZulu-Natal</b></p> <p>i. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>ii. <u>Community Conservation Areas;</u></p> <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iv. <u>World Heritage Sites;</u></p> <p>v. <u>In an estuarine functional zone;</u></p> <p>vi. <u>A protected area identified in terms of NEMPAA;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p> <p>x. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>xi. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xii. <u>Outside urban areas:</u></p> <p>(aa) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve; or</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p>
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		<p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(cc) <u>Within urban protected areas.</u></p>
		<p><b>e. <u>Limpopo</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(hh) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
		<p><b>f. <u>Mpumalanga</u></b></p> <p>i. <u>Outside urban areas:</u></p>

		<p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
		<p><b>g. Northern Cape</b></p> <p>i. <u>In an estuary:</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p>

		<p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ii) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b><u>h. North West</u></b></p> <p>i. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>ii. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from a biosphere reserve;</u></p> <p>iii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>iv. <u>Sites or areas identified in terms of an international convention;</u></p> <p>v. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>vi. <u>Core areas in biosphere reserves;</u></p> <p>vii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>viii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999); or</u></p>
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		<p>ix. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b>i. <u>Western Cape</u></b></p> <p>i. <u>Areas zoned for use as public open space or equivalent zoning;</u></p> <p>ii. <u>All areas outside urban areas:</u></p> <p>(aa) <u>Areas containing indigenous vegetation;</u></p> <p>(bb) <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for conservation use; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority.</u></p>
19.	The expansion of runways or aircraft landing strips where the expanded runways or aircraft landing strips will be longer than 1,4 kilometres in length.	<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks and world heritage sites and 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p>

		<p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(ii) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(jj) <u>In an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(kk) <u>Within a watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b><u>b. Free State</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks and world heritage sites and 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p>
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		<p>(hh) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>c. <u>Gauteng</u></b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></p> <p>viii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>ix. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>x. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>xi. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>xii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p><b>d. <u>KwaZulu-Natal</u></b></p> <p>i. <u>Community Conservation Areas;</u></p>
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		<p><u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>ii. <u>In an estuarine functional zone;</u></p> <p>iii. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>iv. <u>World Heritage Sites;</u></p> <p>v. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vi. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>vii. <u>Core areas in biosphere reserves;</u></p> <p>viii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>ix. <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core of a biosphere reserve;</u></p> <p>x. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>xi. <u>Outside urban areas:</u></p> <p>(aa) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(bb) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>xiii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 100m high-water mark of the sea if no such development setback line is determined.</u></p> <p><b>e. Limpopo</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p>
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		<p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks and world heritage sites and 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(hh) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
		<p><b>f. Mpumalanga</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p>



		<p>(gg) <u>Areas within 10 kilometres from national parks and world heritage sites and 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>g. Northern Cape</b></p> <p>i. <u>In an estuary:</u></p> <p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks and world heritage sites and 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ii) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p>
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		<p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b><u>h. North West</u></b></p> <p>i. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>ii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>iii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Core areas in biosphere reserves;</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from a biosphere reserve; or</u></p> <p>vii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999).</u></p> <p><b><u>i. Western Cape</u></b></p> <p>i. <u>All areas outside urban areas.</u></p>
20.	The expansion and related operation of above ground cableways and funiculars where the development footprint will be increased.	<p><b><u>a. Eastern Cape</u></b></p> <p>i. <u>Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>ii. <u>All areas outside urban areas; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p>

		<p>(cc) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(dd) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined; or</u></p> <p>(ee) <u>Within a watercourse.</u></p> <p><b>b. Free State</b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b>c. Gauteng</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>iii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>iv. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>v. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>vi. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>vii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p><b>d. KwaZulu-Natal</b></p>
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		<p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>In an estuarine functional zone;</u></p> <p>(bb) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(cc) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(ff) <u>Areas zoned for use as public open space;</u></p> <p>(gg) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(hh) <u>Areas within a watercourse or wetland;</u></p> <p>(ii) <u>Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ji) <u>Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</u></p>
		<p><b>e. Limpopo</b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p>

		<p>(cc) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse.</u></p>
		<p><b><u>f. Mpumalanga</u></b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland.</u></p>
		<p><b><u>g. Northern Cape</u></b></p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>All areas outside urban areas; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(cc) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(dd) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p>
		<p><b><u>h. North West</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area or within world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA;</u></p> <p>(bb) <u>Core areas in biosphere reserves or 5 kilometres from the core areas of a biosphere reserve;</u></p>

		<p>(cc) <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas identified in terms of an international convention; or</u></p> <p>(ff) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, or zoned for a conservation purpose; or</u></p> <p>iii. <u>Areas within a watercourse or wetland, or within 100 metres from the edge a watercourse or wetland.</u></p>
		<p><b>i. <u>Western Cape</u></b></p> <p>i. <u>All areas outside urban areas;</u></p> <p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>ii. <u>Within areas seaward of the development setback line or within 1 kilometre of the high-water mark if no development setback line is determined.</u></p> <p><b>b. <u>Free State</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p>
21.	The expansion of tracks or routes for the testing, recreational use or outdoor racing of motor powered vehicles excluding conversion of existing tracks or routes for the	

	testing, recreational use or outdoor racing of motor powered vehicles, where the development footprint will be expanded.	<p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>c. <u>Gauteng</u></b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>iv. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>v. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vi. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>vii. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>viii. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p>
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	<p><b>d. KwaZulu-Natal</b></p> <ul style="list-style-type: none"> <li>i. <u>In an estuarine functional zone;</u></li> <li>ii. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></li> <li>iii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></li> <li>iv. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></li> <li>v. <u>Outside urban areas:</u> <ul style="list-style-type: none"> <li>(aa) <u>Within areas of indigenous vegetation; or</u></li> <li>(bb) <u>In areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></li> </ul> </li> <li>vi. <u>Inside urban areas:</u> <ul style="list-style-type: none"> <li>(aa) <u>In areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined;</u></li> <li>(bb) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></li> <li>(cc) <u>Areas zoned for use as public open space.</u></li> </ul> </li> </ul> <p><b>e. Limpopo</b></p> <ul style="list-style-type: none"> <li>i. <u>Outside urban areas:</u> <ul style="list-style-type: none"> <li>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></li> <li>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></li> <li>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></li> <li>(dd) <u>Sites or areas identified in terms of an international convention;</u></li> </ul> </li> </ul>	
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		<p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
		<p><b>f. Mpumalanga</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p>

		<p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b><u>g. Northern Cape</u></b></p> <p>i. <u>In an estuary; or</u></p> <p>ii. <u>Within areas seaward of the development setback line or within 1 kilometre of the high-water mark if no development setback line is determined.</u></p> <p><b><u>h. North West</u></b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve; or</u></p> <p>vii. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b><u>i. Western Cape</u></b></p> <p>i. <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;</u></p> <p>ii. <u>Seawards of the development setback line or within 200 metres from the high water mark of the sea if no such development setback line is determined; or</u></p> <p>iii. <u>Areas of indigenous vegetation outside urban areas.</u></p>
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22.	<p>The expansion and related operation of facilities or infrastructure for the storage, or storage and handling of a dangerous good, where such storage facilities or infrastructure will be expanded by 30 cubic metres or more but no more than 80 cubic metres.</p>	<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(ii) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(jj) <u>Within 500 metres of an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>(kk) <u>An estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(ll) <u>A watercourse; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p>
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		<p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(cc) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(dd) <u>Within 500 metres of an estuarine functional zone, excluding areas falling behind the development setback line; or</u></p> <p>(ee) <u>Within a watercourse.</u></p> <p><b><u>b. Free State</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(hh) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p>
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		<p>(cc) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined.</u></p>
		<p><b>c. Gauteng</b></p> <ul style="list-style-type: none"> <li>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></li> <li>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></li> <li>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></li> <li>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></li> <li>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></li> <li>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></li> <li>vii. <u>Sites identified as high potential agricultural land in terms of Gauteng Agricultural Potential Atlas;</u></li> <li>viii. <u>Important Bird and Biodiversity Area (IBA);</u></li> <li>ix. <u>Sites or areas identified in terms of an international convention;</u></li> <li>x. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></li> <li>xi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></li> <li>xii. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></li> </ul> <p><b>d. KwaZulu-Natal</b></p> <ul style="list-style-type: none"> <li>i. <u>Trans-frontier protected areas managed under international conventions;</u></li> <li>ii. <u>Community Conservation Areas;</u></li> <li>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></li> <li>iv. <u>World Heritage Sites;</u></li> </ul>

v.	<u>In an estuarine functional zone;</u>	
vi.	<u>Within 500 metres of an estuarine functional zone;</u>	
vii.	<u>A protected area identified in terms of NEMPAA, excluding conservancies;</u>	
viii.	<u>Sites or areas identified in terms of an international convention;</u>	
ix.	<u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u>	
x.	<u>Core areas in biosphere reserves;</u>	
xi.	<u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u>	
xii.	<u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u>	
xiii.	<u>Outside urban areas:</u>	
	(aa) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core areas of a biosphere reserve;</u>	
	(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u>	
	(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u>	
xiv.	<u>Inside urban areas:</u>	
	(aa) <u>Areas zoned for use as public open space; or</u>	
	(bb) <u>Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined.</u>	
	<b>e. Limpopo</b>	
	i. <u>All areas</u>	
	<b>f. Mpumalanga</b>	

		<p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation; or</u></p> <p>(hh) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within 100 metres of a watercourse or wetland.</u></p>
		<p><b>g. Northern Cape</b></p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland;</u></p> <p>iii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p>

		<p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ii) <u>Within 500 metres of an estuary; or</u></p> <p>iv. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Within 500 metres of an estuary.</u></p> <p><b><u>h. North West</u></b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p>
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		<p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; or</u></p> <p>vi. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b>i. <u>Western Cape</u></b></p> <p>i. <u>Areas zoned for use as public open space, conservation or an equivalent zoning;</u></p> <p>ii. <u>All areas outside urban areas; or</u></p> <p>iii. <u>Areas inside urban areas:</u></p> <p>(aa) <u>Areas seawards of the development setback line or within 200 metres from the high-water mark of the sea if no such development setback line is determined;</u></p> <p>(bb) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined; or</u></p> <p>(cc) <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</u></p>
23.	<p>The expansion of—</p> <p>[(i) <b>canals where the canal is expanded by 10 square metres or more in size;</b></p> <p>(ii) <b>channels where the channel is expanded by 10</b></p>	<p><b>a. <u>Eastern Cape</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p>

<p>square metres or more in size; (iii) bridges where the bridge is expanded by 10 square metres or more in size; (iv) dams where the dam is expanded by 10 square metres or more in size; (v) weirs where the weir is expanded by 10 square metres or more in size; (vi) bulk storm water outlet structures where the structure is expanded by 10 square metres or more in size; (vii) marinas where the marina is expanded by 10</p>	<p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve;</u> (hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u> (ii) <u>An estuarine functional zone, excluding areas falling behind the development setback line; or</u> ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u> (bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>b. Free State</b> i. <u>Outside urban areas:</u> (aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u> (bb) <u>National Protected Area Expansion Strategy Focus areas;</u> (cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u> (dd) <u>Sites or areas identified in terms of an international convention;</u> (ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u> (ff) <u>Core areas in biosphere reserves; or</u> (gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u> ii. <u>Inside urban areas:</u> (aa) <u>Areas zoned for use as public open space; or</u></p>
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square metres or more in size;	(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u>
(viii) jetties where the jetty is expanded by 10 square metres or more in size;	<p><b>c. Gauteng</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>ii. <u>National Protected Area Expansion Strategy Focus Areas;</u></p> <p>iii. <u>Gauteng Protected Area Expansion Priority Areas;</u></p> <p>iv. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>v. <u>Sites identified within threatened ecosystems listed in terms of the National Environmental Management Act: Biodiversity Act (Act No. 10 of 2004);</u></p> <p>vi. <u>Sensitive areas identified in an environmental management framework adopted by the relevant environmental authority;</u></p> <p>vii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>viii. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA; or</u></p> <p>ix. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks; or</u></p> <p>x. <u>Sites zoned for conservation use or public open space or equivalent zoning.</u></p>
(ix) slipways where the slipway is expanded by 10 square metres or more in size;	
(x) buildings where the building is expanded by 10 square metres or more in size;	
(xi) boardwalks where the boardwalk is expanded by 10 square metres or more in size;	
(xii) infrastructure or structures where the physical footprint is expanded by 10 square metres or more;]	<p><b>d. KwaZulu-Natal</b></p> <p>i. <u>Community Conservation Areas;</u></p> <p>ii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iii. <u>In an estuarine functional zone;</u></p> <p>iv. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>v. <u>World Heritage Sites;</u></p> <p>vi. <u>Sites or areas identified in terms of an international convention;</u></p> <p>vii. <u>Critical biodiversity areas or ecological support areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p>

	<p>(i) <u>dams or weirs where the dam or weir is expanded by 10 square metres or more; or</u></p> <p>(ii) <u>infrastructure or structures where the physical footprint is expanded by 10 square metres or more;</u></p> <p>where such <b>[development]</b> expansion occurs—</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback adopted in the</p>	<p>viii. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>ix. <u>Core areas in biosphere reserves;</u></p> <p>x. <u>Outside urban areas:</u></p> <p>(aa) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any terrestrial protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(bb) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>xi. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority, zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined.</u></p> <p><b>e. Limpopo</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves; or</u></p>
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	<p>(c) prescribed manner; or no development setback has been adopted, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p>excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p>	<p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>
	<p><b>f. Mpumalanga</b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve, where such areas comprise indigenous vegetation; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p>	<p><b>g. Northern Cape</b></p> <p>i. <u>In an estuary;</u></p>

		<p>ii. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(dd) <u>Sites or areas identified in terms of an international convention;</u></p> <p>(ee) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(ff) <u>Core areas in biosphere reserves;</u></p> <p>(gg) <u>Areas within 10 kilometres from national parks or world heritage sites or 5 kilometres from any other protected area identified in terms of NEMPAA or from the core area of a biosphere reserve; or</u></p> <p>(hh) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>iii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space; or</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose.</u></p> <p><b>h. North West</b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p>
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		<p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority; or</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve.</u></p>
		<p><b><u>i. Western Cape</u></b></p> <p>i. <u>Outside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>National Protected Area Expansion Strategy Focus areas;</u></p> <p>(cc) <u>World Heritage Sites;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Sites or areas listed in terms of an international convention;</u></p> <p>(ff) <u>Critical biodiversity areas or ecosystem service areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(gg) <u>Core areas in biosphere reserves; or</u></p> <p>(hh) <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined.</u></p>
24.	The expansion and related operation of facilities of any size for any form of aquaculture.	<p><b><u>a. Eastern Cape</u></b></p> <p>i. <u>Outside urban areas, in an estuarine functional zone, excluding areas falling behind the development setback line;</u></p> <p>ii. <u>In a Protected Area identified in the NEMPAA;</u></p> <p>iii. <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u> or</p>

		<p>iv. <u>Within a watercourse.</u></p> <p><b>b. <u>Free State</u></b></p> <p>i. <u>In a Protected Area identified in the NEMPAA; or</u></p> <p>ii. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b>c. <u>Gauteng</u></b></p> <p>i. <u>In a Protected Area identified in the NEMPAA;</u></p> <p>ii. <u>Within a watercourse; or</u></p> <p>iii. <u>Areas within 100 meters measured perpendicular outward from the edge of a watercourse.</u></p> <p><b>d. <u>KwaZulu-Natal</u></b></p> <p>i. <u>Trans-frontier protected areas managed under international conventions;</u></p> <p>ii. <u>Community Conservation Areas;</u></p> <p>iii. <u>Biodiversity Stewardship Programme Biodiversity Agreement areas;</u></p> <p>iv. <u>In an estuarine functional zone;</u></p> <p>v. <u>In a Protected Area identified in the NEMPAA;</u></p> <p>vi. <u>World Heritage Sites;</u></p> <p>vii. <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>viii. <u>Areas within a watercourse or wetland;</u></p> <p>ix. <u>Sites or areas identified in terms of an international convention;</u></p> <p>x. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>xi. <u>Core areas in biosphere reserves;</u></p> <p>xii. <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p>
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		<p>xiii. Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority.</p> <p><b><u>e. Limpopo</u></b></p> <p>i. <u>In a Protected Area identified in the NEMPAA; or</u></p> <p>ii. <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse.</u></p> <p><b><u>f. Mpumalanga</u></b></p> <p>i. <u>In a Protected Area identified in the NEMPAA; or</u></p> <p>ii. <u>In an aquatic critical biodiversity area.</u></p> <p><b><u>g. Northern Cape</u></b></p> <p>i. <u>In an estuary;</u></p> <p>ii. <u>In a Protected Area identified in the NEMPAA; or</u></p> <p>iii. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b><u>h. North West</u></b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999); or</u></p> <p>iv. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p> <p><b><u>i. Western Cape</u></b></p> <p>i. <u>Areas on the estuary side of the development setback line or in an estuarine functional zone where no such setback line has been determined;</u></p> <p>ii. <u>In a Protected area identified in terms of NEMPAA; or</u></p> <p>iii. <u>In an aquatic critical biodiversity area.</u></p> <p><b><u>a. Eastern Cape</u></b></p>
25.		

<p>The expansion and related operation of zip- lines or foefie-slides, where the zip- line or foefie-slide is expanded by 100 metres in length or more.</p>	<p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(cc) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(dd) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ee) <u>Within a watercourse.</u></p>
	<p><b>b. Free State</b></p> <p>i. <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland;</u></p> <p>ii. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>iii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in bioregional plans;</u></p> <p>iv. <u>Sites or areas identified in terms of an international convention;</u></p> <p>v. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>vi. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>vii. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>viii. <u>Important Bird and Biodiversity Areas (IBA).</u></p>
	<p><b>c. Gauteng</b></p> <p>i. <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p>

		<p>ii. <u>Sites identified as Critical Biodiversity Areas (CBAs) or Ecological Support Areas (ESAs) in the Gauteng Conservation Plan or in bioregional plans;</u></p> <p>iii. <u>Sites or areas identified in terms of an international convention;</u></p> <p>iv. <u>Sites managed as protected areas by provincial authorities, or declared as nature reserves in terms of the Nature Conservation Ordinance (Ordinance 12 of 1983) or the NEMPAA;</u></p> <p>v. <u>Sites designated as nature reserves in terms of municipal Spatial Development Frameworks;</u></p> <p>vi. <u>Sites zoned for conservation use or public open space or equivalent zoning; or</u></p> <p>vii. <u>Important Bird and Biodiversity Areas (IBA).</u></p> <p><b>d. KwaZulu-Natal</b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>A protected area identified in terms of NEMPAA, excluding conservancies;</u></p> <p>(bb) <u>In an estuarine functional zone;</u></p> <p>(cc) <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority or in bioregional plans;</u></p> <p>(dd) <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>(ee) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p> <p>(ff) <u>Areas zoned for use as public open space;</u></p> <p>(gg) <u>Areas on the watercourse side of the development setback line or within 100 metres from the edge of a watercourse where no such setback line has been determined;</u></p> <p>(hh) <u>Areas within a watercourse or wetland;</u></p>
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		<p>(ii) <u>Areas seawards of the development setback line or within 100 metres from the high-water mark of the sea if no such development setback line is determined; or</u></p> <p>(ji) <u>Areas within 500 metres from terrestrial protected areas identified in terms of NEMPAA.</u></p>
		<p><b>e. Limpopo</b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse; or within 100 metres from the edge of a watercourse.</u></p>
		<p><b>f. Mpumalanga</b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose; or</u></p> <p>(cc) <u>Areas within a watercourse or wetland, or within 100 metres of a watercourse or wetland.</u></p>
		<p><b>g. Northern Cape</b></p> <p>i. <u>All areas outside urban areas; or</u></p> <p>ii. <u>Inside urban areas:</u></p> <p>(aa) <u>Areas zoned for use as public open space;</u></p> <p>(bb) <u>Areas designated for conservation use in Spatial Development Frameworks adopted by the competent authority or zoned for a conservation purpose;</u></p>

		<p>(cc) <u>Areas within a watercourse or wetland; or within 100 metres from the edge of a watercourse or wetland; or</u></p> <p>(dd) <u>Areas seawards of the development setback line or within 1 kilometre from the high-water mark of the sea if no such development setback line is determined.</u></p>
		<p><b>h. North West</b></p> <p>i. <u>World Heritage Sites; core of biosphere reserve; or sites or areas identified in terms of an international convention;</u></p> <p>ii. <u>A protected area including municipal or provincial nature reserves as contemplated by NEMPAA or other legislation;</u></p> <p>iii. <u>All Heritage Sites proclaimed in terms of National Heritage Resources Act, 1999 (Act No. 25 of 1999);</u></p> <p>iv. <u>Critical biodiversity areas as identified in systematic biodiversity plans adopted by the competent authority;</u></p> <p>v. <u>Sensitive areas as identified in an environmental management framework as contemplated in chapter 5 of the Act and as adopted by the competent authority;</u></p> <p>vi. <u>Areas within 5 kilometres from protected areas identified in terms of NEMPAA or from the core areas of a Biosphere reserve; or</u></p> <p>vii. <u>Areas within a watercourse or wetland, or within 100 metres from the edge of a watercourse or wetland.</u></p>
26.	<p>Phased activities for all activities—</p> <p>i. listed in this Notice and as it applies to a specific geographical area, which commenced on</p>	<p>All the areas as identified for the specific activities listed in this Notice.</p>

	<p>or after the effective date of this Notice; or</p> <p>ii. similarly listed in <b>[in]</b> any of the previous NEMA notices, and as it applies to a specific geographical area, which commenced on or after the effective date of such previous NEMA Notices—</p> <p>where any phase of the activity <b>[may be]</b> <u>was</u> below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold; —</p> <p>excluding the following activities</p>	

	<p>listed in this Notice—</p> <p>7; 8; 11; 13; <b>[17;]</b> 20; 21; and 24.</p>	
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## DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 325

07 APRIL 2017

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998  
(ACT NO. 107 OF 1998)****AMENDMENT OF THE ENVIRONMENTAL IMPACT ASSESSMENT  
REGULATIONS LISTING NOTICE 2 OF 2014**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby amend the Environmental Impact Assessment Regulations Listing Notice 2 of 2014, published under Government Notice No. 984 in Gazette No. 38282 on 4 December 2014 in terms of sections 24(2), 24(5), 24D and 44, read with section 47A(1)(b) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as set out in the Schedule hereto.

For ease of reading the full text of the existing list, with the amendments indicated, is published. The amendments take effect on the date that these amendments are published in the *Gazette*.



**BOMO EDITH EDNA MOLEWA**  
**MINISTER OF ENVIRONMENTAL AFFAIRS**



## SCHEDULE

### GENERAL EXPLANATORY NOTE:

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

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

### PURPOSE

1. The purpose of this Notice is to identify activities that would require an environmental authorisation prior to the commencement of that activity and to identify competent authorities in terms of sections 24(2) and 24D of this Act.

### DEFINITIONS

2. (1) In this Notice, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned, and unless the context otherwise indicates —

**“associated structures, infrastructure and earthworks”** means any structures, infrastructure or earthworks, including borrow pits, that is necessary for the functioning of a facility or activity;

**“channel”** means an excavated hollow bed for running water or an artificial underwater depression to make a water body navigable in a natural watercourse, river or the sea;

**“dam”** when used in these Regulations means any barrier dam and any other form of impoundment used for the storage of water, excluding reservoirs;

**“dangerous goods”** means goods containing any of the substances as contemplated in South African National Standard No. 10234, supplement 2008 1.00: designated “List of classification and labelling of chemicals in accordance with the Globally Harmonized Systems (GHS)” published by Standards South Africa, and where the presence of such goods, regardless of quantity, in a blend

or mixture, causes such blend or mixture to have one or more of the characteristics listed in the Hazard Statements in section 4.2.3, namely physical hazards, health hazards or environmental hazards;

**“development”** means the building, erection, construction or establishment of a facility, structure or infrastructure, including associated earthworks or borrow pits, that is necessary for the undertaking of a listed or specified activity, **[including any associated post development monitoring,]** but excludes any modification, alteration or expansion of such a facility, structure or infrastructure, including associated earthworks or borrow pits, and excluding the redevelopment of the same facility in the same location, with the same capacity and footprint;

**“development footprint”** means any evidence of physical alteration as a result of the undertaking of any activity;

**“development setback”** means a setback line defined or adopted by the competent authority;

**“expansion”** means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased;

**“indigenous vegetation”** refers to vegetation consisting of indigenous plant species occurring naturally in an area, regardless of the level of alien infestation and where the topsoil has not been lawfully disturbed during the preceding ten years;

**“industrial complex”** means an area used or zoned for industrial purposes, including bulk storage, manufacturing, processing or packaging purposes;

**“linear development [activities] activity”** means an activity that is arranged in or extending along one or more properties and which affects the environment or any aspect of the environment along the course of the activity, and includes railways, roads, canals, channels, funiculars, pipelines, conveyor belts, cableways, powerlines, fences, runways, aircraft landing strips, firebreaks and telecommunication lines;

**“maintenance”** means actions performed to keep a structure or system functioning or in service on the same location, capacity and footprint;

**“maintenance management plan”** means a management plan for maintenance purposes defined or adopted by the competent authority;

**“marina”** means a constructed waterway that is normally associated with residential or commercial use and that could include mooring facilities;

**“route determination”** means the process of planning and designing a new route;

**“the Act”** means the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended;

**“throughput capacity”** means the design capacity or maximum capable capacity of a facility, structures or infrastructure, whichever is the greater;

**“urban areas”** means areas situated within the urban edge (as defined or adopted by the competent authority), or in instances where no urban edge or boundary has been defined or adopted, it refers to areas situated within the edge of built-up areas;

**“virgin soil”** means land not cultivated for the preceding 10 years;

**“watercourse”** means –

- (a) a river or spring;
- (b) a natural channel in which water flows regularly or intermittently;
- (c) a wetland, pan, lake or dam into which, or from which, water flows; and
- (d) any collection of water which the Minister may, by notice in the *Gazette*, declare to be a watercourse as defined in the National Water Act, 1998 (Act No. 36 of 1998); and

a reference to a watercourse includes, where relevant, its bed and banks; and

**“wetland”** means land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is

periodically covered with shallow water, and which land in normal circumstances supports or would support vegetation typically adapted to life in saturated soil.

- (2) The following words relevant to coastal activities will have the meaning **[so]** assigned to it in the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008):
- (a) “estuary”;
  - (b) “high-water mark”;
  - (c) “littoral active zone”;
  - (d) “low-water mark”; and
  - (e) “sea”.
- (3) The following words will have the meaning so assigned to it in terms of section 1 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002):
- (a) “exploration right”;
  - (b) “mine”;
  - (c) “mineral”;
  - (d) “mining area”;
  - (e) “mining right”;
  - (f) “petroleum”;
  - (g) “production right”; and
  - (h) “prospecting right”.

**IDENTIFIED ACTIVITIES AND COMPETENT AUTHORITIES**

3. (1) The activities identified in Appendix 1 may not commence without an environmental authorisation from the competent authority.
- (2) The investigation, assessment and communication of the potential impact of activities must follow the procedure as prescribed in regulations 21, 22, 23 and 24 of the Environmental Impact Assessment Regulations[, 2014] published in terms of section 24(5) of the Act, unless otherwise indicated by the Minister in a government notice.
- [(3) Where Listing Notice 4 applies, an application for environmental authorisation must be submitted for an activity contemplated in that Notice and not for an activity contemplated in this Notice.]**

**REPEAL OF NOTICE 545 DATED 18 JUNE 2010**

4. Notice 545 published in *Gazette* 33306 is hereby repealed.

**SHORT TITLE**

5. This Listing Notice is called the Environmental Impact Assessment Regulations Listing Notice 2 of 2014, and takes effect on 08 December 2014.

## APPENDIX 1

**Identification of competent authority:** The competent authority in respect of the activities listed in this part of the schedule is the competent authority in the province in which the activity is to be undertaken, unless—

- (a) it is an application for an activity contemplated in section 24C(2) of the Act, in which case the competent authority is the Minister or an organ of state with delegated powers in terms of section 42(1) of the Act; or
- (b) the listed or specified activity is or is directly related to—
  - i. prospecting or exploration of a mineral or petroleum resource; or
  - ii. extraction and primary processing of a mineral or petroleum resource;in which case the competent authority is the Minister responsible for mineral resources.

The exception mentioned in (b) above does not apply to the following activities contained in this Notice: 3; 8(i); 13; 26; 27; and 29.

Activity number	Activity description	[Identification of competent Authority]
1.	<p>The development of facilities or infrastructure for the generation of electricity from a renewable resource where the electricity output is 20 megawatts or more, excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs —</p> <p>(a) within an urban area; or</p> <p>(b) on existing infrastructure.</p>	[The competent authority in respect of the activities listed in this part of the schedule is the competent authority in the province in which the activity is to be undertaken, unless —
2.	The development and related operation of facilities or infrastructure for the generation of electricity from a non-renewable resource where the electricity output is 20 megawatts or more.	(a) it is an application for an activity contemplated in section 24C(2) of the Act, in which case
3.	The development and related operation of facilities or infrastructure for nuclear reaction including energy generation, the production, enrichment, processing, reprocessing, storage or disposal of nuclear fuels, radioactive products, nuclear waste or radioactive waste.	the competent authority is the Minister or an organ of state with delegated powers in terms of section 42(1) of the Act; or
4.	The development and related operation of facilities or infrastructure, for the storage, or storage and handling of a dangerous good, where such storage occurs in containers with a combined capacity of more than 500 cubic metres.	(b) the listed or specified activity is or is directly related to—
5.	<p>The development and related operation of facilities or infrastructure for the <b>[refining, extraction or]</b> processing of a petroleum resource, including the beneficiation or refining of gas, oil or petroleum products with an installed capacity of 50 cubic metres or more per day, excluding—</p> <p>(i) facilities for the refining, extraction or processing of gas from landfill sites; or</p>	<p>i. prospecting or exploration of a mineral or petroleum resource; or</p> <p>ii. extraction and primary processing of a mineral or petroleum resource;</p>

	(ii) the primary processing of a petroleum resource in which case activity 22 in this Notice applies.] activities which are included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies.	in which case the competent authority is the Minister responsible for mineral resources.  The exception mentioned in (b) above does not apply to the following activities contained in this Notice:  3; 8(i); 10, 13; 26; 27; and 29.]
6.	<p>The development of facilities or infrastructure for any process or activity which requires a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the generation or release of emissions, pollution or effluent, excluding—</p> <p>(i) activities which are identified and included in Listing Notice 1 of 2014;</p> <p>(ii) activities which are included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies;</p> <p>(iii) the development of facilities or infrastructure for the treatment of effluent, <u>polluted water, wastewater or sewage</u> where such facilities have a daily throughput capacity of 2 000 cubic metres or less; <u>or</u></p> <p>(iv) <u>where the development is directly related to aquaculture facilities or infrastructure where the wastewater discharge capacity will not exceed 50 cubic metres per day.</u></p>	
7.	<p>The development and related operation of facilities or infrastructure for the bulk transportation of dangerous goods—</p> <p>(i) in gas form, outside an industrial complex, using pipelines, exceeding 1 000 metres in length, with a throughput capacity of more than 700 tons per day;</p>	



	<p>(ii) in liquid form, outside an industrial complex, using pipelines, exceeding 1 000 metres in length, with a throughput capacity of more than 50 cubic metres per day; or</p> <p>(iii) in solid form, outside an industrial complex, using funiculars or conveyors with a throughput capacity of more than 50 tons <u>per</u> day.</p>	
<b>8.</b>	<p>The development of—</p> <p>(i) airports; or</p> <p>(ii) runways or aircraft landing strips longer than 1,4 kilometres.</p>	
<b>9.</b>	<p>The development of facilities or infrastructure for the transmission and distribution of electricity with a capacity of 275 kilovolts or more, outside an urban area or industrial complex excluding the development of <u>bypass infrastructure for the transmission and distribution of electricity where such bypass infrastructure is —</u></p> <p>(a) <u>temporarily required to allow for maintenance of existing infrastructure;</u></p> <p>(b) <u>2 kilometres or shorter in length;</u></p> <p>(c) <u>within an existing transmission line servitude; and</u></p> <p>(d) <u>will be removed within 18 months of the commencement of development.</u></p>	
<b>10.</b>	<p><b>[The development of facilities or infrastructure for marine telecommunication.]</b></p> <p>...</p>	
<b>11.</b>	<p>The development of facilities or infrastructure for the transfer of 50 000 cubic metres or more water per day, from and to or between any combination of the following —</p> <p>(i) water catchments;</p> <p>(ii) water treatment works; or</p> <p>(iii) impoundments;</p>	

	excluding treatment works where water is to be treated for drinking purposes.	
<b>12.</b>	<p>The development of railway lines, stations or shunting yards excluding —</p> <ul style="list-style-type: none"> <li>(i) railway lines, shunting yards and railway stations in industrial complexes or zones;</li> <li>(ii) underground railway lines in a mining area; or</li> <li>(iii) additional railway lines within the railway line reserve.</li> </ul>	
<b>13.</b>	The physical alteration of virgin soil to agriculture, or afforestation for the purposes of commercial tree, timber or wood production of 100 hectares or more.	
<b>14.</b>	<p>The development and related operation of—</p> <ul style="list-style-type: none"> <li>(i) <b>[an island]</b> <u>—</u>;</li> <li>(ii) <u>an anchored platform</u>; or</li> <li>(iii) <u>any other structure or infrastructure</u> <u>—</u></li> </ul> <p>on, below or along the sea bed;</p> <p>excluding —</p> <ul style="list-style-type: none"> <li>(a) development of facilities, infrastructure or structures for aquaculture purposes; or</li> <li>(b) the development of temporary structures or infrastructure where such structures will be removed within 6 weeks of the commencement of development and where <u>coral</u> <u>or</u> indigenous vegetation will not be cleared.</li> </ul>	
<b>15.</b>	The clearance of an area of 20 hectares or more of indigenous vegetation, excluding where such clearance of indigenous vegetation is required for—	

	<p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	
16.	<p>The development of a dam where the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, is 5 metres or higher or where the high-water mark of the dam covers an area of 10 hectares or more.</p>	
17.	<p>Any activity including the operation of that activity which requires a mining right as contemplated in section 22 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including—</p> <p>(a) associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource [.] ; <u>or</u></p> <p>(b) <b>[including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)]</b> <u>the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing;</u></p> <p>but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource in which case activity 6 in this Notice applies.</p>	
18.	<p>Any activity including the operation of that activity which requires an exploration right as contemplated in section 79 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including —</p> <p>(a) associated infrastructure, structures and earthworks; <u>or</u></p>	

	<p><u>(b) the primary processing of a petroleum resource including winning, extraction, classifying, concentrating or water removal;</u></p> <p><u>but excluding the secondary processing of a petroleum resource, including the beneficiation or refining of gas, oil or petroleum products in which case activity 5 in this Notice applies.</u></p>	
19.	<p>The removal and disposal of minerals contemplated in terms of section 20 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including—</p> <p><u>(a) associated infrastructure, structures and earthworks, directly related to prospecting of a mineral resource [.] ; or</u></p> <p><u>(b) [including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)] the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing;</u></p> <p><u>but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource in which case activity 6 in this Notice applies.</u></p>	
20.	<p>Any activity including the operation of that activity which requires a production right as contemplated in section 83 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including —</p> <p><u>(a) associated infrastructure, structures and earthworks[, directly related to]; or</u></p> <p><u>(b) the primary processing of a petroleum resource including winning, extraction, classifying, concentrating or water removal;</u></p>	

	but excluding the secondary processing of a petroleum resource, including the <u>beneficiation or refining of gas, oil or petroleum products in which case activity 5 in this Notice applies.</u>	
21.	<p>[Any activity including the operation of that activity associated with the primary processing of a mineral resource including winning, reduction, extraction, classifying, concentrating, crushing, screening and washing but excluding the smelting, beneficiation, refining, calcining or gasification of the mineral resource in which case activity 6 in this Notice applies.]</p> <p>...</p>	
22.	<p>[Any activity including the operation of that activity associated with the primary processing of a petroleum resource including winning, extraction, classifying, concentrating, water removal, but excluding the refining of gas, oil or petroleum products in which case activity 5 in this Notice applies.]</p> <p>...</p>	
23.	The reclamation of an island or parts of the sea.	
24.	The extraction or removal of peat or peat soils, including the disturbance of vegetation or soils in anticipation of the extraction or removal of peat or peat soils, but excluding where such extraction or removal is for the rehabilitation of wetlands in accordance with a maintenance management plan.	
25.	The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of 15 000 cubic metres or more.	

26.	<p>Development—</p> <ul style="list-style-type: none"> <li>(i) in the sea;</li> <li>(ii) in an estuary;</li> <li>(iii) within the littoral active zone;</li> <li>(iv) in front of a development setback; or</li> <li>(v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;</li> </ul> <p>in respect of —</p> <ul style="list-style-type: none"> <li>(a) facilities associated with the arrival and departure of vessels and the handling of cargo;</li> <li>(b) piers;</li> <li>(c) inter- and sub-tidal structures for entrapment of sand;</li> <li>(d) breakwater structures;</li> <li>(e) coastal marinas;</li> <li>(f) coastal harbours or ports;</li> <li>(g) tunnels; or</li> <li>(h) underwater channels;</li> </ul> <p>but excluding the development of structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p>	
27.	The development of a <u>road</u> —	

	<p>(i) [a national road as defined in section 40 of the South African National Roads Agency Limited and National Roads Act, 1998 (Act No. 7 of 1998);] ...</p> <p>(ii) [a road administered by a provincial authority:] ...</p> <p>(iii) [a road] with a reserve wider than 30 metres; or</p> <p>(iv) [a road] catering for more than one lane of traffic in both directions;</p> <p>but excluding [the development and related operation of] a road—</p> <p>(a) for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010, in which case activity 24 in Listing Notice 1 of 2014 applies;</p> <p>(b) <u>which is 1 kilometre or shorter; or</u></p> <p>(c) <u>where the entire road falls within an urban area.</u></p>	
28.	<p>[Commencing of an activity, which requires an atmospheric emission license in terms of section 21 of the National Environmental Management: Air Quality Act, 2004 (Act No. 39 of 2004), excluding -</p> <p>(i) activities which are identified and included in Listing Notice 1 of 2014;</p> <p>(ii) activities which are included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies; or</p> <p>(iii) the development of facilities or infrastructure for the treatment of effluent, wastewater or sewage where such facilities have a daily throughput capacity of 2000 cubic metres or less.]</p>	

	...	
29.	The expansion and related operation of facilities for nuclear reaction including energy generation, the production, enrichment, processing, reprocessing, storage or disposal of nuclear fuels, radioactive products, nuclear waste or radioactive waste.	



## DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 326

07 APRIL 2017

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998  
(ACT NO. 107 OF 1998)****AMENDMENTS TO THE ENVIRONMENTAL IMPACT ASSESSMENT REGULATIONS, 2014**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby make the amendments to the Environmental Impact Assessment Regulations, 2014, published under Government Notice No. 982 in *Gazette* No. 3822 of 4 December 2014, in terms of sections 24(5) and 44 of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as set out in the Schedule hereto.

For ease of reading, the Environmental Impact Assessment Regulations, 2014 are published in full, inclusive of amendments made thereto. The amendments indicated in the text commence on the date that these regulations are published in the *Gazette*.



**BOMO EDITH EDNA MOLEWA**  
**MINISTER OF ENVIRONMENTAL AFFAIRS**

## SCHEDULE

### GENERAL EXPLANATORY NOTE:

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

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

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## CHAPTER 1

### INTERPRETATION AND PURPOSE OF REGULATIONS

#### Interpretation

1. (1) In these Regulations any word or expression to which a meaning has been assigned in the Act has that meaning, and unless the context requires otherwise—

**“activity”** means an activity identified in any notice published by the Minister or MEC in terms of section 24D(1)(a) of the Act as a listed activity or specified activity;

**“[A]greement”** [, for the purpose of regulation 1(3) and 1(4)] means the Agreement as contemplated in section 50A(2) of the Act;

**“alternatives”**, in relation to a proposed activity, means different means of meeting the general purpose and requirements of the activity, which may include alternatives to the—

- (a) property on which or location where the activity is proposed to be undertaken;
- (b) type of activity to be undertaken;
- (c) design or layout of the activity;
- (d) technology to be used in the activity; or
- (e) operational aspects of the activity;

and includes the option of not implementing the activity;

**“application”** means an application for an—

- (a) environmental authorisation in terms of Chapter 4 of these Regulations;
- (b) amendment **[to]** of an environmental authorisation in terms of Chapter 5 of these Regulations;
- (c) amendment **[to]** of an EMPr in terms of Chapter 5 of these Regulations; or
- (d) amendment of a closure plan in terms of Chapter 5 of these Regulations;

**“basic assessment report”** means a report contemplated in regulation 19;

**“closure plan”** means a plan contemplated in regulation 19;

**“cumulative impact”**, in relation to an activity, means the past, current and reasonably foreseeable future impact of an activity, considered together with the impact of activities associated with that activity, that in itself may not be significant, but may become significant when added to the existing and reasonably foreseeable impacts eventuating from similar or diverse activities;

**“EAP”** means an environmental assessment practitioner as defined in section 1 of the Act;

**“EMPr”** means an environmental management programme contemplated in regulations 19 and 23;

**“environmental audit report”** means a report contemplated in regulation 34;

**“environmental impact assessment”** means a systematic process of identifying, assessing and reporting environmental impacts associated with an activity and includes basic assessment and S&EIR;

**“environmental impact assessment report”** means a report contemplated in regulation 23;

**“independent”**, in relation to an EAP, a specialist or the person responsible for the preparation of an environmental audit report, means—

- (a) that such EAP, specialist or person has no business, financial, personal or other interest in the activity or application in respect of which that EAP, specialist or person is appointed in terms of these Regulations; or
- (b) that there are no circumstances that may compromise the objectivity of that EAP, specialist or person in performing such work;

excluding—

- (i) normal remuneration for a specialist permanently employed by the EAP; or
- (ii) fair remuneration for work performed in connection with that activity, application or environmental audit;

**“linear activity”** means an activity that is arranged in or extending along one or more properties and which affects the environment or any aspect of the environment along the course of the activity, and includes railways, roads, canals, channels, funiculars, pipelines, conveyor belts, cableways, power lines, fences, runways, aircraft landing strips, firebreaks and telecommunication lines;

**["minimum information requirements" means the minimum information requirements contemplated in section 24(5)(bA)(viiiA), if any are applicable at the time of the application;]**

**“mitigation”** means to anticipate and prevent negative impacts and risks, then to minimise them, rehabilitate or repair impacts to the extent feasible;

**“National Appeal Regulations”** means the national appeal regulations published in terms of section 43(4) and 44 of the Act;

**["ocean-based activity” means an activity in the territorial waters in the Republic of South Africa;]**

**“plan of study for environmental impact assessment”** means a study contemplated in regulation 22 which forms part of a scoping report and sets out how an environmental impact assessment will be conducted;

**“proponent”** means a person intending to submit an application for environmental authorisation and is referred to as an applicant once such application for environmental authorisation has been submitted;

**“receipt”** means receipt on the date indicated—

- (a) on a receipt form if the application or document was hand delivered or sent via registered mail;
- (b) in an automated or computer generated acknowledgment of receipt;



- (c) on an acknowledgement in writing from the competent authority as the date of receipt if the application or document was sent via ordinary mail; or
- (d) on an automated or computer generated proof of transmission in the case of a facsimile message;

**“registered environmental assessment practitioner or registered EAP”** means an environmental assessment practitioner registered with an appointed registration authority contemplated in section 24H of the Act;

**“registered interested and affected party”**, in relation to an application, means an interested and affected party whose name is recorded in the register opened for that application in terms of regulation 42;

**“scoping report”** means a report contemplated in regulation 21;

**“S&EIR”** means the scoping and environmental impact reporting process contemplated in regulation 21 to regulation 24;

**“significant impact”** means an impact that may have a notable effect on one or more aspects of the environment or may result in non-compliance with accepted environmental quality standards, thresholds or targets and is determined through rating the positive and negative effects of an impact on the environment based on criteria such as duration, magnitude, intensity and probability of occurrence;

**“specialist”** means a person that is generally recognised within the scientific community as having the capability of undertaking, in conformance with generally recognised scientific principles, specialist studies or preparing specialist reports, including due diligence studies and socio-economic studies;

**“State department”** means any department or administration in the national or provincial sphere of government exercising functions that involve the management of the environment; and

**“the Act”** means the National Environmental Management Act, 1998 (Act No. 107 of 1998).

- (2) Any reference in these Regulations to an environmental assessment practitioner will, from a date **[to be]** determined by the Minister by notice in the *Gazette*, be deemed to be a reference to a registered environmental assessment practitioner, as defined.

## Purpose of Regulations

2. The purpose of these Regulations is to regulate the procedure and criteria as contemplated in Chapter 5 of the Act relating to the preparation, evaluation, submission, processing and consideration of, and decision on, applications for environmental authorisations for the commencement of activities, subjected to environmental impact assessment, in order to avoid or mitigate detrimental impacts on the environment, and to optimise positive environmental impacts, and for matters pertaining thereto.

## CHAPTER 2

### TIMEFRAMES

#### Timeframes

3. (1) Subject to subregulations (2) and (3), when a period of days must in terms of these Regulations be reckoned from or after a particular day, that period must be reckoned as from the start of the day following that particular day to the end of the last day of the period, but if the last day of the period falls on a Saturday, Sunday or public holiday, that period must be extended to the end of the next day which is not a Saturday, Sunday or public holiday.

(2) For any action contemplated in terms of these Regulations for which a timeframe is prescribed, the period of 15 December to 5 January must be excluded in the reckoning of days.

(3) Unless justified by exceptional circumstances, as agreed to by the competent authority, the proponent and applicant must refrain from conducting any public participation process during the period of 15 December to 5 January.

(4) When a State department is requested to comment in terms of these Regulations, such State department must submit its comments in writing within 30 days from the date on which it was requested to submit comments and if such State department fails to submit comments within such 30 days, it will be regarded that such State department has no comments.

(5) Where a prescribed timeframe is affected by one or more public holidays, the timeframe must be extended by the number of public holiday days falling within that timeframe.

(6) The competent authority must acknowledge receipt of all applications and documents contemplated in regulations 16, 19, 21, 23, 29, [30,] 31[, 32] and 34 within [ten] 10 days of receipt thereof.

(7) In the event where the scope of work must be expanded based on the outcome of an assessment done in accordance with these Regulations, which outcome could not be anticipated prior to the undertaking of the assessment, or in the event where exceptional circumstances can be demonstrated, the competent authority may, prior to the lapsing of the relevant prescribed timeframe, in writing, extend the relevant prescribed timeframe and agree with the applicant on the length of such extension.

(8) Any public participation process must be conducted for a period of at least 30 days.

#### Notification of decision on application

4. (1) Unless indicated otherwise, after a competent authority has reached a decision on an application, the competent authority must, in writing and within [five] 5 days—

- (a) provide the applicant with the decision;
- (b) give reasons for the decision to the applicant; and

- (c) where applicable, draw the attention of the applicant to the fact that an appeal may be lodged against the decision in terms of the National Appeal[s] Regulations, if such appeal is available in the circumstances of the decision.
- (2) The applicant must, in writing, within **[fourteen] 14** days of the date of the decision on the application ensure that—
  - (a) all registered interested and affected parties are provided with access to the decision and the reasons for such decision; and
  - (b) the attention of all registered interested and affected parties is drawn to the fact that an appeal may be lodged against the decision in terms of the National Appeal Regulations, if such appeal is available in the circumstances of the decision.
- (3) For the purpose of this regulation, the decision includes the complete environmental authorisation granted or refused.

### CHAPTER 3

#### GENERAL REQUIREMENTS FOR APPLICATIONS

##### General

5. (1) All applications in terms of these Regulations must be decided upon by a competent authority.
- (2) The competent authority, who must consider and decide upon an application in respect of a listed activity or specified activity, must be determined with reference to the notice published under section 24D(1) and any agreement in terms of section 24C(3) of the Act.
- (3) A competent authority must keep—
  - (a) a register of all applications received by the competent authority in terms of these Regulations;
  - (b) a register of all decisions in respect of environmental authorisations;
  - (c) copies of all applications; and
  - (d) copies of all decisions.
- (4) When a national electronic system is provided for the recording of applications for environmental authorisation, this system must be used by all competent authorities to keep the records referred to in subregulation (3)(a) and (b).
- (5) When a national electronic system is provided for the submission of applications for environmental authorisation, this system must be used by all applicants.

(6) When providing coordinates as part of the information submitted regarding the location of an activity as part of an application for environmental authorisation, such coordinates must be provided in degrees, minutes and seconds using the Hartebeesthoek94 WGS84 co-ordinate system.

#### **Where to submit application**

6. (1) An application for an environmental authorisation or environmental authorisations for the commencement of an activity must be made to the competent authority referred to in regulation 5.

(2) If the Minister is the competent authority in respect of an application, the application must be submitted to the Department.

(3) If an MEC is the competent authority in respect of an application, the application must be submitted to the provincial department responsible for environmental affairs in that province.

(4) If the Minister, Minister responsible for mineral resources or MEC has, in terms of section 42, 42B or 42A respectively of the Act, delegated any powers or duties of a competent authority in relation to an application, the application must be submitted to the person or authority to whom the powers had been delegated.

(5) If the Minister responsible for mineral resources is the competent authority in respect of an application, the application must be submitted to the relevant office of the Department responsible for mineral resources as identified by that Department.

#### *Part 1: Duties of competent authority*

#### **Consultation between competent authority and organs of state administering a law relating to a matter affecting the environment**

7. (1) Where an agreement has been reached in order to give effect to Chapter 3 of the Constitution of the Republic of South Africa, 1996 and sections 24(4)(a)(i), 24K and 24L of the Act, and where such agreement is applicable to an application, such application must be dealt with in accordance with such agreement.

(2) The competent authority or EAP must consult with every organ of state that administers a law relating to a matter affecting the environment relevant to that application for an environmental authorisation when such competent authority considers the application and unless agreement to the contrary has been reached the EAP will be responsible for such consultation.

(3) Where an applicant submits an application for environmental authorisation in terms of these Regulations and an application for an authorisation, permit or licence in terms of a specific environmental management Act or any other legislation, the competent authority and the authority empowered under such specific environmental management Act or other legislation must manage the respective processes in a cooperative governance manner.

(4) Where the processes prescribed in terms of these Regulations are used to inform applications in terms of other legislation, application processes must be aligned to run concurrently.

(5) Where a competent authority is requested by an applicant to comment in terms of these Regulations, such competent authority must submit its comments within 30 days.

#### **Guidance by competent authority to proponent or applicant**

8. A competent authority, subject to the payment of any reasonable charges, if applicable—
- (a) may advise or instruct the proponent or applicant of the nature and extent of any of the processes that may or must be followed or decision support tools that must be used in order to comply with the Act and these Regulations;
  - (b) must advise the proponent or applicant of any matter that may prejudice the success of an application;
  - (c) must, on written request, furnish the proponent or applicant with officially adopted minutes of any official meeting held between the competent authority and the proponent, applicant or EAP; and
  - (d) must, on written request, provide access to the officially adopted minutes of meetings contemplated in paragraph (c), to any registered interested or affected party.

#### **Format of forms**

9. The format of any application form must be determined by the competent authority and must include, once established, the national sector classification of the activity applied for.

#### *Part 2: Duties of proponents and applicants*

#### **Competent authorities' right of access to information**

10. An applicant must—
- (a) use the application form contemplated in regulation 9 when submitting an application in terms of these Regulations;
  - (b) comply with any protocol or minimum information requirements **[for]** relevant to the application as identified and gazetted by the Minister in a government notice; and
  - (c) provide the competent authority with all information that reasonably has or may have the potential of influencing any decision with regard to an application.

#### **Combination of applications**

11. (1) If a proponent or proponents intend to undertake one or more than one activity of the same type at different locations within the area of jurisdiction of a competent authority, the competent authority may, on written request, grant permission for the submission of a single application.

(2) If the competent authority grants permission in terms of subregulation (1), the application must be dealt with as a consolidated assessment process, but the potential environmental impacts of each activity must be considered in terms of the location where the activity is to be undertaken.

(3) If a proponent or applicant intends undertaking more than one activity as part of the same development within the area of jurisdiction of a competent authority, a single application must be submitted for such development and the assessment of impacts, including cumulative impacts, where applicable, and consideration of the application, undertaken in terms of these Regulations, will include an assessment of all such activities forming part of the development.

(4) If one or more proponents intend undertaking interrelated activities at the same or different locations within the area of jurisdiction of a competent authority, the competent authority may, in writing, agree that the proponent or proponents submit a single application in respect of all of those activities and to conduct a consolidated assessment process but the potential environmental impacts of each activity, including its cumulative impacts, must be considered in terms of the location where the activity is to be undertaken.

(5) Where a combined application is submitted as contemplated in these Regulations, the proponent must, prior to submission of the application, confirm with the competent authority the fee payable in terms of the applicable regulations for such combined application.

### **Appointment of EAPs and specialists**

**12.** (1) A proponent or applicant must appoint an EAP at own cost to manage the application: Provided that an EAP need not be appointed for an application to amend an environmental authorisation where no environmental impact assessment or part thereof is required as part of such amendment application.

(2) In addition to the appointment of an EAP, a specialist may be appointed, at the cost of the proponent or applicant, if the level of assessment is of a nature requiring the appointment of a specialist.

(3) The proponent or applicant must—

- (a) take all reasonable steps to verify whether the EAP and specialist complies with regulation 13(1)(a) and (b); and
- (b) provide the EAP and specialist with access to all information at the disposal of the proponent or applicant regarding the application, whether or not such information is favourable to the application.

### **General requirements for EAPs and specialists**

**13.** (1) An EAP and a specialist, appointed in terms of regulation 12(1) or 12(2), must—

- (a) be independent;

- (b) have expertise in conducting environmental impact assessments or undertaking specialist work as required, including knowledge of the Act, these Regulations and any guidelines that have relevance to the proposed activity;
- (c) ensure compliance with these Regulations;
- (d) perform the work relating to the application in an objective manner, even if this results in views and findings that are not favourable to the application;
- (e) take into account, to the extent possible, the matters referred to in regulation 18 when preparing the application and any report, plan or document relating to the application; and
- (f) disclose to the proponent or applicant, registered interested and affected parties and the competent authority all material information in the possession of the EAP and, where applicable, the specialist, that reasonably has or may have the potential of influencing—
  - (i) any decision to be taken with respect to the application by the competent authority in terms of these Regulations; or
  - (ii) the objectivity of any report, plan or document to be prepared by the EAP or specialist, in terms of these Regulations for submission to the competent authority;

unless access to that information is protected by law, in which case it must be indicated that such protected information exists and is only provided to the competent authority.

(2) In the event where the EAP or specialist does not comply with subregulation (1)(a), the proponent or applicant must, prior to conducting public participation as contemplated in chapter [5] 6 of these Regulations, appoint another EAP or specialist to externally review all work undertaken by the EAP or specialist, at the applicant's cost.

(3) An EAP or specialist appointed to externally review the work of an EAP or specialist as contemplated in subregulation (2), must comply with subregulation (1)(a).

### **Disqualification of EAPs and specialists**

**14.** (1) If the competent authority at any stage of considering an application has reason to believe that the EAP or specialist is not complying or has not complied with the requirements of regulation 13 in respect of the application, other than circumstances where the requirement of independence in regulation 13(1)(a) has been met by compliance with regulation 13(2) and (3), the competent authority may—

- (a) notify the EAP or specialist and the applicant of the reasons therefore, that the application is suspended until the matter is resolved and the extended timeframe for the processing of the application; and



- (b) afford the EAP or specialist and the applicant an opportunity to make representations to the competent authority regarding the suspected non-compliance with the requirements of regulation 13 of the EAP or specialist, in writing.

(2) Other than circumstances where the requirement of independence in regulation 13(1)(a) has been met by compliance with regulation 13(2) and (3), an interested and affected party may notify the competent authority of any suspected non-compliance with regulation 13.

(3) Where an interested and affected party notifies the competent authority of suspected non-compliance in terms of subregulation (2), the competent authority must investigate the allegation promptly.

(4) The notification referred to in subregulation (2) must be submitted in writing and must contain documentation supporting the allegation, which is referred to in the notification.

(5) If, after considering the matter, there is reason for the competent authority to believe that there is non-compliance with regulation 13 by the EAP or specialist, the competent authority must, in writing, inform the interested and affected party who notified the competent authority in terms of subregulation (2), the EAP or specialist and the applicant accordingly and may—

- (a) refuse to accept any further reports, plans, documents or input from the EAP or specialist in respect of the application in question;
- (b) request the applicant to –
  - (i) commission, at own cost, an external review, by another EAP or specialist that complies with the requirements of regulation 13, of any reports, plans or documents prepared or processes conducted in connection with the application;
  - (ii) appoint another EAP or specialist that complies with the requirements of regulation 13 to redo any specific aspects of the work done by the previous EAP or specialist in connection with the application or to complete any unfinished work in connection with the application; or
  - (iii) take such action as the competent authority requires to remedy the defects~~[.]~~;  
or

- (c) act in accordance with both paragraphs (a) and (b); and

indicate the actions to be completed and associated timeframes in order to finalise the application.

(6) If the application has reached a stage where a register of interested and affected parties has been opened in terms of regulation 42, the applicant must, within 7 days from the suspension in terms of sub-regulation (1)(a) ~~[or], a decision in terms of subregulation (5)(a), a request in terms of subregulation (5)(c), or both such decision and request in terms of subregulation (5)(c),~~ inform all registered interested and affected parties of such suspension, ~~[or] decision or actions to be completed in order to finalise the application.~~

#### **Determination of assessment process applicable to application**



15. (1) An EAP must identify whether basic assessment or S&EIR must be applied to the application, taking into account—

- (a) any notices published in terms of section 24D of the Act;
- (b) any guidelines applicable to the application process or activity which is the subject of the application; and
- (c) any advice given by the competent authority in terms of regulation 8.

(2) An application must be managed in accordance with—

- (a) regulation 19 and 20 if basic assessment must be applied to the application or when identified and gazetted by the Minister in a government notice; or
- (b) regulation 21 to 24 if S&EIR must be applied to the application.

(3) S&EIR must be applied to an application if the application is for two or more activities as part of the same development for which S&EIR must already be applied in respect of any of the activities.

## CHAPTER 4

### APPLICATION FOR ENVIRONMENTAL AUTHORISATION

#### *Part 1: General*

#### **General application requirements**

16. (1) An application for an environmental authorisation must—

- (a) be made on an official application form obtainable from the relevant competent authority; and
- (b) when submitted in terms of regulation 19 or 21, be accompanied by—
  - (i) unless regulation 39(2) applies, the written consent referred to in regulation 39(1), if the applicant is not the owner or person in control of the land on which the activity is to be undertaken;
  - (ii) proof of payment of the prescribed application fee, if any;
  - (iii) a declaration of interest by the EAP or specialist, which EAP or specialist meets all the requirements contemplated in regulation 13;
  - (iv) an undertaking under oath or affirmation that all the information submitted or to be submitted for the purposes of the application is true and correct;
  - (v) the report generated by the national web based environmental screening tool, once this tool is operational;

- (vi) a description of the location of the development footprint of the activity, including
    - (aa) the 21 digit Surveyor General code of each cadastral land parcel,
    - (bb) where available, the physical address or farm name,
    - (cc) where the required information in sub-regulation (aa) and (bb) is not available, the coordinates of the boundary of the property or properties,
  - (vii) a plan which locates the proposed activity or activities applied for at an appropriate scale, or if it is—
    - (aa) a linear activity, a description and coordinates of the corridor in which the proposed activity or activities is proposed; or
    - (bb) on land where the property has not been defined, the coordinates of the area within which the activity is proposed; and
  - [(viii) any minimum information requirements for the application; and]**
  - (ix) where applicable, proof of acceptance of an application for any right or permit in terms of the Mineral and Petroleum Resources Development Act, 2002.
- (2) An application for an environmental authorisation may—
- (a) where applicable, only be submitted after the acceptance of an application for any right or permit in terms of the Mineral and Petroleum Resources Development Act, 2002;
  - (b) where section 24L of the Act applies, be submitted in the manner as agreed to by the relevant authorities.
- (3) Any report, plan or document submitted as part of an application must —
- (a) comply with any protocol or minimum information requirements [for] relevant to the application as identified and gazetted by the Minister in a government notice;
  - (b) be prepared in a format that may be determined by the competent authority; and
  - (c) take into account any applicable government policies and plans, guidelines, environmental management instruments and other decision making instruments that have been adopted by the competent authority in respect of the application process or the kind of activity which is the subject of the application and indicate how the relevant information has been considered, incorporated and utilised.

### Checking of application for compliance with formal requirements

17. Upon receipt of an application, the competent authority must check whether the application—

- (a) is properly completed and that it contains the information required in the application form;

- (b) is accompanied by any other documents as required in terms of these Regulations; and
- (c) **[has taken into account]** conforms to the requirements of these Regulations, any protocol or minimum information requirements [for] relevant to the application as identified and gazetted by the Minister in a government notice or instructions or guidance provided by the competent authority to the submission of applications.

### **Criteria to be taken into account by competent authorities when considering applications**

18. When considering an application the competent authority must have regard to section 24O and 24(4) of the Act, the need for and desirability of the undertaking of the proposed activity, **[any guideline published in terms of section 24J of the Act, and any]** the requirements of these Regulations, any protocol or minimum information requirements [for] relevant to the application as identified and gazetted by the Minister in a government notice or any relevant guideline published in terms of section 24J of the Act.

### *Part 2: Basic assessment*

#### **Submission of basic assessment report and environmental management programme, and where applicable closure plan, to competent authority**

19. (1) Where basic assessment must be applied to an application, the applicant must, within 90 days of receipt of the application by the competent authority, submit to the competent authority—

- (a) a basic assessment report, inclusive of specialist reports, an EMP<sub>r</sub> and where applicable a closure plan, which have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority; or
- (b) a notification in writing that the basic assessment report, inclusive of specialist reports, an EMP<sub>r</sub>, and where applicable, a closure plan, will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the basic assessment report or EMP<sub>r</sub> or, where applicable, a closure plan, which changes or information was not contained in the reports or plans consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised reports or EMP<sub>r</sub> or, where applicable, a closure plan will be subjected to another public participation process of at least 30 days.

(2) In the event where subregulation (1)(b) applies, the basic assessment report inclusive of specialist reports, an EMP<sub>r</sub> and where applicable, the closure plan, which reflects the incorporation of comments received, including any comments of the competent authority, must be submitted to the competent authority within 140 days of receipt of the application by the competent authority.

(3) A basic assessment report must contain the information set out in Appendix 1 to these Regulations or comply with a protocol or minimum information requirements relevant to the application as identified and gazetted by the Minister in a government notice, and, where the application for an environmental authorisation is for prospecting, exploration, or extraction **[and primary processing]** of a

mineral or petroleum resource, including primary processing, or activities directly related thereto, the basic assessment report must address the requirements as determined in the regulations, pertaining to the financial provision for the rehabilitation, closure and post closure of prospecting, exploration, mining or production operations, made in terms of the Act.

(4) An EMPr must contain the information set out in Appendix 4 to these Regulations or must be a generic EMPr relevant to the application as identified and gazetted by the Minister in a government notice and, where the application for an environmental authorisation is for prospecting, exploration, or extraction **[and primary processing]** of a mineral or petroleum resource, including primary processing, or activities directly related thereto, the EMPr must contain attachments that address the requirements as determined in the regulations, pertaining to the financial provision for the rehabilitation, closure and post closure of prospecting, exploration, mining or production operations, made in terms of the Act.

(5) A closure plan is required where the application for an environmental authorisation relates to the decommissioning or closure of a facility.

(6) A closure plan must contain the information set out in Appendix 5 to these Regulations, and, where the application for an environmental authorisation is for prospecting, exploration, or extraction **[and primary processing]** of a mineral or petroleum resource, including primary processing, or activities directly related thereto, the closure plan must address the requirements as set in the regulations, pertaining to the financial provision for the rehabilitation, closure and post closure of prospecting, exploration, mining or production operations, made in terms of the Act.

(7) The content of a closure plan may be combined with the content of an EMPr on condition that the requirements of both Appendices 5 and 4, respectively, are met.

(7A) The content of a closure plan may be combined with the relevant plan contemplated in the regulations, pertaining to the financial provision for the rehabilitation, closure and post closure of prospecting, exploration, mining or production operations, made in terms of the Act, on condition that the requirements of both those Regulations and Appendix 5, respectively, are met.

(8) A specialist report must contain all information set out in Appendix 6 to these Regulations or comply with a protocol or minimum information requirement relevant to the application as identified and gazetted by the Minister in a government notice.

### Decision on basic assessment application

**20.** (1) The competent authority must within 107 days of receipt of the basic assessment report and EMPr, or where relevant the closure plan, in writing—

- (a) grant environmental authorisation in respect of all or part of the activity applied for; or
- (b) refuse environmental authorisation.

(2) To the extent that authorisation is granted for an alternative, such alternative must, for the purposes of subregulation (1), be regarded as having been applied for, consulted on and its impacts investigated.

(3) On having reached a decision, the competent authority must comply with regulation 4(1), after which the applicant must comply with regulation 4(2).

(4) The Minister responsible for mineral resources may only issue an environmental authorisation if the provisions of section 24P(1) of the Act have been complied with.

### *Part 3: S&EIR*

#### **Submission of scoping report to competent authority**

**21.** (1) If S&EIR must be applied to an application, the applicant must, within 44 days of receipt of the application by the competent authority, submit to the competent authority a scoping report which has been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority.

(2) Subject to regulation 46, and if the findings of the scoping report is still valid and the environmental context has not changed, the submission of a scoping report as contemplated in subregulation (1) need not be complied with—

- (a) in cases where a scoping report was accepted as part of a previous application for environmental authorisation and the application has lapsed or was refused because of insufficient information;
- (b) on condition that regulation 16 is complied with and that such application is accompanied by proof that registered interested and affected parties, who participated in the public participation process conducted as part of the previous application, have been notified of this intended resubmission of the application prior to submission of such application;
- (c) if the application contemplated in paragraph (b) is submitted by the same applicant for the same development, as applied for and lapsed or refused as contemplated in paragraph (a); and
- (d) if an environmental impact assessment report inclusive of specialist reports and an EMPr, which must have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority, is submitted within a period of two years from the date of the acceptance of the scoping report contemplated in paragraph (a).

(3) A scoping report must contain all information set out in Appendix 2 to these Regulations or comply with a protocol or minimum information requirements relevant to the application as identified and gazetted by the Minister in a government notice.

#### **Consideration of scoping report**

**22.** The competent authority must, within 43 days of receipt of a scoping report—

- (a) accept the scoping report, with or without conditions, and advise the applicant to proceed or continue with the tasks contemplated in the plan of study for environmental impact assessment; or

- (b) refuse environmental authorisation if—
- (i) the proposed activity is in conflict with a prohibition contained in legislation; or
  - (ii) the scoping report does not substantially comply with Appendix 2 to these Regulations or any applicable protocol or minimum information requirements as identified and gazetted by the minister in a government notice and the applicant is unwilling or unable to ensure compliance with these requirements within the prescribed timeframe.

### Submission and consideration of environmental impact assessment report and environmental management programme

23. (1) The applicant must within 106 days of the acceptance of the scoping report submit to the competent authority—

- (a) an environmental impact assessment report inclusive of any specialist reports, and an EMPr, which must have been subjected to a public participation process of at least 30 days and which reflects the incorporation of comments received, including any comments of the competent authority; or
- (b) a notification in writing that the **[environmental impact report inclusive of any specialist]** reports, and an EMPr, will be submitted within 156 days of **[acceptance of the scoping report]** receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the environmental impact assessment report or EMPr, which changes or information was not contained in the reports consulted on during the initial public participation process contemplated in subregulation (1)(a), and that the revised environmental impact assessment report or EMPr will be subjected to another public participation process of at least 30 days.

(2) In the event where subregulation (1)(b) applies, the environmental impact assessment report inclusive of specialist reports, and EMPr, which reflects the incorporation of comments received, including any comments of the competent authority, must be submitted to the competent authority within 156 days of **[receipt of the application]** the acceptance of the scoping report by the competent authority.

(3) An environmental impact assessment report must contain all information set out in Appendix 3 to these Regulations or comply with a protocol or minimum information requirements relevant to the application as identified and gazetted by the Minister in a government notice and, where the application is for an environmental authorisation for prospecting, exploration, extraction **[and primary processing]** of a mineral or petroleum resource, including primary processing or activities directly related thereto, the environmental impact assessment report must contain attachments that address the requirements as determined in the regulations, pertaining to the financial provision for the rehabilitation, closure and post closure of prospecting, exploration, mining or production operations, made in terms of the Act.

(4) An EMPr must contain all information set out in Appendix 4 to these Regulations or must be a generic EMPr relevant to the application as identified and gazetted by the Minister in a government notice and, where the application **[is]** for an environmental authorisation is for prospecting, exploration, or extraction **[and primary processing]** of a mineral or petroleum resource, including primary processing

or activities directly related thereto, the EMPr must contain attachments that address the requirements as determined in the regulations, pertaining to the financial provision for the rehabilitation, closure and post closure of prospecting, exploration, mining or production operations, made in terms of the Act.

(5) A specialist report must contain all information set out in Appendix 6 to these Regulations or comply with a protocol or minimum information requirements relevant to the application as identified and gazetted by the Minister in a government notice.

### **Decision on S&EIR application**

**24.** (1) The competent authority must within 107 days of receipt of the environmental impact assessment report and EMPr, in writing,—

- (a) grant environmental authorisation in respect of all or part of the activity applied for; or
- (b) refuse environmental authorisation.

(2) To the extent that authorisation is granted for an alternative, such alternative must for the purposes of subregulation (1) be regarded as having been applied for, consulted on and its impacts investigated.

(3) On having reached a decision, the competent authority must comply with regulation 4(1), after which an applicant must comply with regulation 4(2).

(4) The Minister responsible for Mineral Resources may only issue an **[authorization]** authorisation if the provisions of section 24P(1) of the Act have been complied with.

### *Part 4: Environmental authorisation*

#### **Issue of environmental authorisation**

**25.** (1) If the competent authority decides to grant authorisation, the competent authority must issue an environmental authorisation or environmental authorisations complying with regulation 26 to, and in the name of, the applicant or applicants.

(2) If the competent authority decides to grant authorisation in respect of an application, the competent authority may issue a single environmental authorisation or multiple environmental authorisations in the name of the same or different applicants covering all aspects for which authorisation is granted.

(3) A competent authority may issue an integrated environmental authorisation as contemplated in section 24L of the Act.

(4) The competent authority may replace an existing valid environmental authorisation with an environmental authorisation contemplated in this regulation, indicating the extent of replacement in the environmental authorisation, if the existing valid environmental authorisation is directly related to the application for environmental authorisation.



**Content of environmental authorisation****26. An environmental authorisation must specify—**

- (a) the name, address and contact details of the person to whom the environmental authorisation is issued;
- (b) a description of the activity that is authorised;
- (c) a description of the location of the activity, including
  - (i) the 21 digit Surveyor General code of each cadastral land parcel,
  - (ii) where available, the physical address or farm name,
  - (iii) where the required information in sub-regulation (i) and (ii) is not available, the coordinates of the boundary of the property or properties,
  - (iv) a plan which locates the proposed activity or activities authorised at an appropriate scale, or, if it is—
    - (aa) a linear activity, a description and coordinates of the approved corridor of the activity or activities; or
    - (bb) on land where the property has not been defined, the coordinates of the area within which the activity is to be undertaken;
- (d) the conditions subject to which the activity may be undertaken, including conditions determining—
  - [(i) **the period within which commencement must occur, which period may not exceed 10 years and may not be extended beyond such 10 year period, unless the process to amend the environmental authorisation contemplated in regulation 32 is followed;**]
  - (ii) where the environmental authorisation does not include operational aspects, the period for which the environmental authorisation is granted, which period may not be extended unless the process to amend the environmental authorisation contemplated in regulation 32 is followed, and the date on which the activity is deemed to have been concluded [**, where the environmental authorisation does not include operational aspects**];
  - (iii) a distinction between the portions of the environmental authorisation that deal with operational and non-operational aspects respectively and the respective periods for which the distinct portions of the environmental authorisation is granted, where the environmental authorisation contains operational and non-operational aspects;
  - (iv) requirements for the avoidance, management, mitigation, monitoring and reporting of the impacts of the activity on the environment throughout the life of the activity additional to those contained in the approved EMPr, and where applicable the closure plan; and



- (e) the frequency of auditing of compliance with the conditions of the environmental authorisation and of compliance with the approved EMPr, and where applicable the closure plan, in order to determine whether such EMPr and closure plan continuously meet mitigation requirements and addresses environmental impacts, taking into account processes for such auditing prescribed in terms of these Regulations: provided that the frequency of the auditing of compliance with the conditions of the environmental authorisation and of compliance with the EMPr may not exceed intervals of **[five]** 5 years;
- (f) the frequency of submission of an environmental audit report to the competent authority, including the timeframe within which a final environmental audit report must be submitted to the competent authority;
- (g) the frequency of updating the approved EMPr, and where applicable the closure plan, and the manner in which the updated EMPr and closure plan will be approved, taking into account processes for such amendments prescribed in terms of these Regulations;
- (h) a requirement that the environmental authorisation, approved EMPr, any independent assessments of financial provision for rehabilitation and environmental liability, closure plans, where applicable, audit reports including the environmental audit report contemplated by regulation 34, and all compliance monitoring reports be made available for inspection and copying—
  - (i) at the site of the authorised activity;
  - (ii) to anyone on request; and
  - (iii) where the holder of the environmental authorisation has a website, on such publicly accessible website; and
- (i) any relevant conditions which the competent authority deems appropriate.

## CHAPTER 5

### AMENDMENT, SUSPENSION, WITHDRAWAL AND AUDITING OF COMPLIANCE WITH ENVIRONMENTAL AUTHORISATION AND ENVIRONMENTAL MANAGEMENT PROGRAMME

#### General

27. (1) The competent authority that issued an environmental authorisation has jurisdiction in all matters pertaining to the amendment of that environmental authorisation as long as the environmental authorisation is still valid, provided that the competent authority that issued such environmental authorisation still has jurisdiction in terms of the Act.

(2) Where the competent authority decides to amend an environmental authorisation, the competent authority must—

- (a) issue an amendment to the environmental authorisation either by way of a new environmental authorisation or new environmental authorisations or an addendum to the relevant environmental authorisation; or

- (b) replace an existing valid environmental authorisation with an environmental authorisation contemplated in this regulation, indicating the extent of replacement in the environmental authorisation, if the existing environmental authorisation is directly related to the amendment required.

(3) Where an environmental authorisation granted in terms of these Regulations does not include operational aspects and the activity has been commenced with, the period for which such environmental authorisation is granted may only be extended for a maximum further period of **[five] 5** years.

(4) An environmental authorisation may be amended or replaced without following a procedural requirement contained in these Regulations if the purpose is to correct an error and the correction does not change the rights and duties of any person materially.

### **Application for amendment**

**28. (1) [The holder of an environmental authorisation may, at least three months prior to the expiry of the validity period of an environmental authorisation, apply to the relevant competent authority for the amendment of the environmental authorisation in terms of Part 1 of this Chapter] An application for the amendment of an environmental authorisation must be submitted to the relevant competent authority on condition that the environmental authorisation is valid on the date of receipt of such amendment application.**

(1A) The competent authority shall not accept or process an application for amendment of an environmental authorisation if such environmental authorisation is not valid on the day of receipt of such amendment application but may consider an application for environmental authorisation for the same development.

(1B) An environmental authorisation which is the subject of an amendment application contemplated in this Chapter remains valid pending the finalisation of such amendment application.

**[(2) Failure to lodge an application for amendment of an environmental authorisation at least three months prior to expiry may result in the competent authority not being able to process the application for amendment in time and in the lapsing of the environmental authorisation.]**

(3) An application in terms of subregulation (1) must be made in writing and accompanied by a motivation for such amendment.

### *Part 1: Amendments where no change in scope or a change of ownership occur*

#### **Amendments to be applied for in terms of Part 1**

**29.** An environmental authorisation may be amended by following the process prescribed in this Part if the amendment—

- (a) will not change the scope of a valid environmental authorisation, nor increase the level or nature of the impact, which impact was initially assessed and considered when application was made for an environmental authorisation; or

- (b) relates to the change of ownership or transfer of rights and obligations.

### Process and consideration of application for amendment and decision

30. (1) Upon receipt of an application made in terms of regulation 29 the competent authority—
- (a) may request **[the holder to furnish]** additional information within a period determined by the competent authority and such request must accompany the acknowledgement of receipt of the application and if such information is not submitted within such a period the application will be deemed to have lapsed; and
  - (b) must refuse the application for amendment if the amendment being applied for does not fall within the ambit of regulation 29.
- (2) The competent authority must within 30 days of acknowledging receipt of the application or of receipt of the additional information contemplated in subregulation (1)(a) decide the application.

### *Part 2: Amendments where a change in scope occurs*

#### Amendments to be applied for in terms of Part 2

31. An environmental authorisation may be amended by following the process prescribed in this Part if the amendment will result in a change to the scope of a valid environmental authorisation where such change will result in an increased level or change in the nature of impact where such level or change in nature of impact was not—

- (a) assessed and included in the initial application for environmental authorisation; or
- (b) taken into consideration in the initial environmental authorisation;

and the change does not, on its own, constitute a listed or specified activity.

### Process and consideration of application for amendment

32. (1) The **[holder]** applicant must~~—~~

**[(a)]** within 90 days of receipt by the competent authority of the application made in terms of regulation 31, submit to the competent authority—

- (a) a report, reflecting—
  - (i) an assessment of all impacts related to the proposed change;
  - (ii) advantages and disadvantages associated with the proposed change; and
  - (iii) measures to ensure avoidance, management and mitigation of impacts associated with such proposed change; and

(iv) any changes to the EMP[R];

which report—

**[(i)](aa)** had been subjected to a public participation process, which had been agreed to by the competent authority, and which was appropriate to bring the proposed change to the attention of potential and registered interested and affected parties, including organs of state, which have jurisdiction in respect of any aspect of the relevant activity, and the competent authority, and

**[(ii)](bb)** reflects the incorporation of comments received, including any comments of the competent authority; or

(b) **[submit to the competent authority]**a notification in writing that the report will be submitted within 140 days of receipt of the application by the competent authority, as significant changes have been made or significant new information has been added to the report, which changes or information was not contained in the report consulted on during the initial public participation process contemplated in subregulation (1)(a) and that the revised report will be subjected to another public participation process of at least 30 days.

(2) In the event where subregulation (1)(b) applies, the report, which reflects the incorporation of comments received, including any comments of the competent authority, must be submitted to the competent authority within 140 days of receipt of the application by the competent authority.

### **Decision on amendment application**

**33.** (1) The competent authority must within 107 days of receipt of the report contemplated in regulation 32, in writing, decide the application.

(2) On having reached a decision, the competent authority must comply with regulation 4(1), after which the holder applicant must comply with regulation 4(2).

### *Part 3: Auditing and amendment of environmental authorisation, environmental management programme and closure plan*

### **Auditing of compliance with environmental authorisation, environmental management programme and closure plan**

**34.** (1) The holder of an environmental authorisation must, for the period during which the environmental authorisation and EMPr, and where applicable the closure plan, remain valid—

- (a) ensure that the compliance with the conditions of the environmental authorisation and the EMPr, and where applicable the closure plan, is audited; and
- (b) submit an environmental audit report to the relevant competent authority.

- (2) The environmental audit report contemplated in subregulation (1) must—
- (a) be prepared by an independent person with the relevant environmental auditing expertise;
  - (b) provide verifiable findings, in a structured and systematic manner, on
    - (i) the level of performance against and compliance of an organisation or project with the provisions of the requisite environmental authorisation or EMPr and, where applicable, the closure plan; and
    - (ii) the ability of the measures contained in the EMPr, and where applicable the closure plan, to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity;
  - (c) contain the information set out in Appendix 7; and
  - (d) be conducted and submitted to the competent authority at intervals as indicated in the environmental authorisation.
- (3) The environmental audit report contemplated in subregulation (1) must determine—
- (a) the ability of the EMPr, and where applicable the closure plan, to sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity on an ongoing basis and to sufficiently provide for the [.] avoidance, management and mitigation of environmental impacts associated with the closure of the facility; and
  - (b) the level of compliance with the provisions of environmental authorisation, EMPr and where applicable, the closure plan.
- (4) Where the findings of the environmental audit report contemplated in subregulation (1) indicate—
- (a) insufficient mitigation of environmental impacts associated with the undertaking of the activity; or
  - (b) insufficient levels of compliance with the environmental authorisation or EMPr and, where applicable the closure plan;

the holder must, when submitting the environmental audit report to the competent authority in terms of subregulation (1), submit recommendations to amend the EMPr or closure plan in order to rectify the shortcomings identified in the environmental audit report.

(5) When submitting recommendations in terms of subregulation (4), such recommendations must have been subjected to a public participation process, which process has been agreed to by the competent authority and was appropriate to bring the proposed amendment of the EMPr and, where applicable the closure plan, to the attention of potential and registered interested and affected parties, including organs of state which have jurisdiction in respect of any aspect of the relevant activity and the competent authority, for approval by the competent authority.

(6) Within 7 days of the date of submission of an environmental audit report to the competent authority, the holder of an environmental authorisation must notify all potential and registered interested and affected parties of the submission of that report, and make such report immediately available—

(a) to anyone on request; and

(b) on a publicly accessible website, where the holder has such a website.

(7) An environmental audit report must contain all information set out in Appendix 7 to these Regulations.

#### **Amendment of environmental management programme or closure plan as a result of an audit**

35. (1) The competent authority must consider the environmental audit report and amended EMPr and, where applicable the amended closure plan, contemplated in regulation 34 and approve such amended EMPr, and where applicable the amended closure plan, if it is satisfied that it sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity, or where applicable the closure of the facility, and that it has been subjected to an appropriate public participation process.

(2) Prior to approving an amended EMPr or closure plan contemplated in subregulation (1), the competent authority may request such amendments to the EMPr or closure plan as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity or to ensure that the closure plan sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the closure of the facility.

#### *Part 4: Other amendments of environmental management programme or closure plan*

##### **Other amendments of environmental management programme or closure plan**

36. (1) Where an amendment is required to the impact management actions of an EMPr, such amendments may immediately be effected by the holder and reflected in the next environmental audit report submitted as contemplated in the environmental authorisation and regulation 34.

(2) Where an amendment to the impact management outcomes **[or objectives]** of an EMPr or an amendment of the closure objectives of a closure plan is required before an audit is required in terms of the environmental authorisation, an EMPr or closure plan may be amended on application by the holder of the environmental authorisation.

##### **Amendment of environmental management programme or closure plan on application by holder of environmental authorisation**

37. [(1) Where the holder of an environmental authorisation identifies amendments to the impact management outcomes or objectives of the EMPr or amendments to the closure objectives of the closure plan before an audit is required in terms of the environmental authorisation, such

**holder must notify the competent authority of its intention to amend the EMPr or closure plan at least 60 days prior to submitting such amendments to the EMPr or closure plan to the competent authority for approval.]**

(2) The holder of the environmental authorisation must invite comments on the proposed amendments to the impact management outcomes **[or objectives]** of the EMPr or amendments to the closure objectives of the closure plan from potentially interested and affected parties, including the competent authority, by using any of the methods provided for in the Act for a period of at least 30 days.

(3) Reasonable alternative methods, as agreed to by the competent authority, to invite comments as contemplated in subregulation (2), may be used in those instances where a person desires but is unable to participate in the process due to—

- (a) illiteracy;
- (b) disability; or
- (c) any other disadvantage.

(4) The invitation to comment as contemplated in subregulation (2) must include an indication that any comments to the proposed amendments must be submitted to the holder of the environmental authorisation within 30 days of such invitation to comment.

(5) If no comments are received, the holder of the environmental authorisation may amend the EMPr or closure plan in accordance with its intention contemplated in subregulation (1) and submit the amended EMPr or closure plan to the competent authority for approval within 60 days of inviting comments.

(6) Prior to approving an amended EMPr or closure plan contemplated in subregulation (5), the competent authority may request such amendments to the EMPr or closure plan as it deems appropriate to ensure that the EMPr sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity or to ensure that the closure plan sufficiently provides for avoidance, management and mitigation of environmental impacts associated with the closure of the facility.

(7) If comments are submitted to the holder of the environmental authorisation, such holder must submit such comments to the competent authority, including responses to such comments, together with the proposed amended EMPr or closure plan.

(8) The competent authority must, within 30 days of receipt of the information contemplated in subregulation (7), consider such information and issue a decision to approve the amended EMPr or closure plan or not.

(9) After the competent authority has reached a decision in terms of subregulation (5) or (8), the competent authority must, within **[five] 5** days—

- (a) provide the holder of the environmental authorisation with its decision, including the amended EMPr or closure plan if the decision was to approve the amended EMPr or closure plan, as well as reasons for the decision;



- (b) draw the attention of the holder of the environmental authorisation to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, if such appeal is available in the circumstances of the decision; and
- (c) instruct the holder of the environmental authorisation to, within 14 days of the date of the decision, inform the parties who submitted comments of the decision, to the fact that an appeal may be lodged against the decision in terms of the National Appeals Regulations, if such appeal is available in the circumstances of the decision.

*Part 5: Suspension and withdrawal of environmental authorisation*

**Suspension and withdrawal of environmental authorisation**

**38.** (1) If the competent authority has reason to believe that the authorisation was obtained through fraud, non-disclosure of material information or misrepresentation of a material fact, the competent authority may, in writing, suspend or partially suspend, with immediate effect, the environmental authorisation and direct the holder of such environmental authorisation forthwith to cease any activities that have been commenced or to refrain from commencing any activities, pending a decision to withdraw the environmental authorisation.

(2) The holder of the environmental authorisation may, within ~~ten~~ **10** days of the suspension issued in terms of subregulation (1), provide the competent authority with representations as to why the environmental authorisation should not be withdrawn.

(3) Subject to subregulation (4), within 14 days of receipt of representations, alternatively within 14 days of the expiry of the time period in which to submit representations, the competent authority must consider the representations, if any, and must inform the applicant in writing of its decision to—

- (a) lift the suspension; or
- (b) withdraw, or partially withdraw, the environmental authorisation.

(4) In the event that the competent authority requires further information in order to take a decision referred to in subregulation (3) it shall—

- (a) within the 14 day time period set out in regulation (3), and in writing, request the holder to provide such further information; and
- (b) consider this additional information prior to taking a decision in terms of (3)(a) or (b).

(5) Where further information is requested, the competent authority shall have a further 14 day period from the date of receipt of this information, in which to make its decision in terms of subregulation (3)(a) or (b).

(6) In the event that the competent authority decides to withdraw, or partially withdraw, the environmental authorisation in terms of (3)(b), and the activity or activities have commenced, the competent authority may direct the holder to rehabilitate the effects of the activity on the environment.

(7) The provisions of this Part apply equally to any exemptions issued in terms of the ECA regulations or the previous NEMA ~~[R]~~ regulations as defined in Chapter 8 of these Regulations.



## CHAPTER 6

### PUBLIC PARTICIPATION

#### Activity on land owned by person other than proponent

39. (1) If the proponent is not the owner or person in control of the land on which the activity is to be undertaken, the proponent must, before applying for an environmental authorisation in respect of such activity, obtain the written consent of the landowner or person in control of the land to undertake such activity on that land.

(2) Subregulation (1) does not apply in respect of—

- (a) linear activities;
- (b) activities constituting, or activities directly related to prospecting or exploration of a mineral and petroleum resource or extraction and primary processing of a mineral or petroleum resource; and
- (c) strategic integrated projects as contemplated in the Infrastructure Development Act, 2014.

#### Purpose of public participation

40. (1) The public participation process to which the—

- (a) basic assessment report and EMPr, and where applicable the closure plan, submitted in terms of regulation 19; and
- (b) scoping report submitted in terms of regulation 21 and the environmental impact assessment report and EMPr submitted in terms of regulation 23;

was subjected to must give all potential or registered interested and affected parties, including the competent authority, a period of at least 30 days to submit comments on each of the basic assessment report, EMPr, scoping report and environmental impact assessment report, and where applicable the closure plan, as well as the report contemplated in regulation 32, if such reports or plans are submitted at different times.

(2) The public participation process contemplated in this regulation must provide access to all information that reasonably has or may have the potential to influence any decision with regard to an application unless access to that information is protected by law and must include consultation with—

- (a) the competent authority;
- (b) every State department that administers a law relating to a matter affecting the environment relevant to an application for an environmental authorisation;
- (c) all organs of state which have jurisdiction in respect of the activity to which the application relates; and

- (d) all potential, or, where relevant, registered interested and affected parties.

(3) Potential or registered interested and affected parties, including the competent authority, may be provided with an opportunity to comment on reports and plans contemplated in subregulation (1) prior to submission of an application but must be provided with an opportunity to comment on such reports once an application has been submitted to the competent authority.

### Public participation process

41. (1) This regulation only applies in instances where adherence to the provisions of this regulation is specifically required.

(2) The person conducting a public participation process must take into account any relevant guidelines applicable to public participation as contemplated in section 24J of the Act and must give notice to all potential interested and affected parties of an application or proposed application which is subjected to public participation by—

- (a) fixing a notice board at a place conspicuous to and accessible by the public at the boundary, on the fence or along the corridor of—
  - (i) the site where the activity to which the application or proposed application relates is or is to be undertaken; and
  - (ii) any alternative site;
- (b) giving written notice, in any of the manners provided for in section 47D of the Act, to—
  - (i) the occupiers of the site and, if the proponent or applicant is not the owner or person in control of the site on which the activity is to be undertaken, the owner or person in control of the site where the activity is or is to be undertaken **[or]** and to any alternative site where the activity is to be undertaken;
  - (ii) owners, persons in control of, and occupiers of land adjacent to the site where the activity is or is to be undertaken **[or]** and to any alternative site where the activity is to be undertaken;
  - (iii) the municipal councillor of the ward in which the site **[or]** and alternative site is situated and any organisation of ratepayers that represent the community in the area;
  - (iv) the municipality which has jurisdiction in the area;
  - (v) any organ of state having jurisdiction in respect of any aspect of the activity; and
  - (vi) any other party as required by the competent authority;
- (c) placing an advertisement in—

- (i) one local newspaper; or
    - (ii) any official *Gazette* that is published specifically for the purpose of providing public notice of applications or other submissions made in terms of these Regulations;
  - (d) placing an advertisement in at least one provincial newspaper or national newspaper, if the activity has or may have an impact that extends beyond the boundaries of the metropolitan or district municipality in which it is or will be undertaken: Provided that this paragraph need not be complied with if an advertisement has been placed in an official *Gazette* referred to in paragraph (c)(ii); and
  - (e) using reasonable alternative methods, as agreed to by the competent authority, in those instances where a person is desirous of but unable to participate in the process due to—
    - (i) illiteracy;
    - (ii) disability; or
    - (iii) any other disadvantage.
- (3) A notice, notice board or advertisement referred to in subregulation (2) must—
- (a) give details of the application or proposed application which is subjected to public participation; and
  - (b) state—
    - (i) whether basic assessment or S&EIR procedures are being applied to the application;
    - (ii) the nature and location of the activity to which the application relates;
    - (iii) where further information on the application or proposed application can be obtained; and
    - (iv) the manner in which and the person to whom representations in respect of the application or proposed application may be made.
- (4) A notice board referred to in subregulation (2) must—
- (a) be of a size of at least 60cm by 42cm; and
  - (b) display the required information in lettering and in a format as may be determined by the competent authority.
- (5) Where public participation is conducted in terms of this regulation for an application or proposed application, subregulation (2)(a), (b), (c) and (d) need not be complied with again during the additional public participation process contemplated in regulations 19(1)(b) or 23(1)(b) or the public participation process contemplated in regulation 21(2)(d), on condition that—

- (a) such process has been preceded by a public participation process which included compliance with subregulation (2)(a), (b), (c) and (d); and
- (b) written notice is given to registered interested and affected parties regarding where the—
  - (i) revised basic assessment report or, EMPr or closure plan, as contemplated in regulation 19(1)(b);
  - (ii) revised environmental impact assessment report or EMPr as contemplated in regulation 23(1)(b); or
  - (iii) environmental impact assessment report and EMPr as contemplated in regulation 21(2)(d);

may be obtained, the manner in which and the person to whom representations on these reports or plans may be made and the date on which such representations are due.

(6) When complying with this regulation, the person conducting the public participation process must ensure that—

- (a) information containing all relevant facts in respect of the application or proposed application is made available to potential interested and affected parties; and
- (b) participation by potential or registered interested and affected parties is facilitated in such a manner that all potential or registered interested and affected parties are provided with a reasonable opportunity to comment on the application or proposed application.

(7) Where an environmental authorisation is required in terms of these Regulations and an authorisation, permit or licence is required in terms of a specific environmental management Act, the public participation process contemplated in this Chapter may be combined with any public participation processes prescribed in terms of a specific environmental management Act, on condition that all relevant authorities agree to such combination of processes.

### **Register of interested and affected parties**

**42.** A proponent or applicant must ensure the opening and maintenance of a register of interested and affected parties and submit such a register to the competent authority, which register must contain the names, contact details and addresses of—

- (a) all persons who, as a consequence of the public participation process conducted in respect of that application, have submitted written comments or attended meetings with the proponent, applicant or EAP;
- (b) all persons who have requested the proponent or applicant, in writing, for their names to be placed on the register; and

- (c) all organs of state which have jurisdiction in respect of the activity to which the application relates.

### **Registered interested and affected parties entitled to comment on reports and plans**

43. (1) A registered interested and affected party is entitled to comment, in writing, on all reports or plans submitted to such party during the public participation process contemplated in these Regulations and to bring to the attention of the proponent or applicant any issues which that party believes may be of significance to the consideration of the application, provided that the interested and affected party discloses any direct business, financial, personal or other interest which that party may have in the approval or refusal of the application.

(2) In order to give effect to section 24O of the Act, any State department that administers a law relating to a matter affecting the environment must be requested, subject to regulation 7(2), to comment within 30 days.

### **Comments of interested and affected parties to be recorded in reports and plans**

44. (1) The applicant must ensure that the comments of interested and affected parties are recorded in reports and plans and that such written comments, including responses to such comments and records of meetings, are attached to the reports and plans that are submitted to the competent authority in terms of these Regulations.

(2) Where a person desires but is unable to access written comments as contemplated in subregulation (1) due to—

[(i)](a) a lack of skills to read or write;

[(ii)](b) disability; or

[(iii)](c) any other disadvantage;

reasonable alternative methods of recording comments must be provided for.

## **CHAPTER 7**

### **GENERAL MATTERS**

#### **Failure to comply with requirements for consideration of applications**

45. An application in terms of these Regulations lapses, and a competent authority will deem the application as having lapsed, if the applicant fails to meet any of the time-frames prescribed in terms of these Regulations, unless extension has been granted in terms of regulation 3(7).

**Resubmission of similar applications**

**46.** No applicant may submit an application which is substantially similar to a previous application which has been refused unless the appeal on such refusal has been finalised or the time period for the submission of such appeal has lapsed.

**Assistance to people with special needs**

**47.** The competent authority processing an application in terms of these Regulations must give reasonable assistance to people with—

- (a) illiteracy;
- (b) a disability; or
- (c) any other disadvantage

who cannot, but desire to, comply with these Regulations.

**Offences**

**48.** (1) A person is guilty of an offence if that person—

- (a) provides incorrect or misleading information in any form, including any document submitted in terms of these Regulations to a competent authority or omits information that may have an influence on the outcome of a decision of a competent authority;
- (b) fails to comply with regulation 10(c);
- (c) fails to comply with regulation 13(1)(f);
- (d) fails to comply with regulation 34;
- (e) fails to comply with regulation 37; or
- (f) commences with an activity where the environmental authorisation was suspended or withdrawn in terms of regulation 38.

(2) A person convicted of an offence in terms of subregulation (1) (a), (b), (c), (d) or (e) is liable to the penalties as contemplated in section 49B(2) of the Act.

(3) A person convicted of an offence in terms of subregulation (1) (f) is liable to the penalties as contemplated in section 49B(1) of the Act.

## CHAPTER 8

### TRANSITIONAL ARRANGEMENTS AND COMMENCEMENT

#### Definitions

49. In this Chapter –

**“ECA”** means the Environment Conservation Act, 1989 (Act No. 73 of 1989);

**“NEMA”** means the National Environmental Management Act, 1998 (Act No. 107 of 1998);

**“ECA notices”** as contemplated in these transitional arrangements, means the notices in terms of ECA (Government Notice R. 1182, as amended by Government Notice R. 1355 of 17 October 1997, Government Notice R. 448 of 27 March 1998 and Government Notice R. 670 of 10 May 2002);

**“ECA regulations”** as contemplated in these transitional arrangements, means the regulations published in terms of sections 26 and 28 of the ECA, by Government Notice R. 1183 of 5 September 1997;

**“previous MPRDA regulations”** as contemplated in these transitional arrangements, means the regulations published in terms of section 107 of the Mineral and Petroleum Resources Development Act, 2002, by Government Notice R527 in *Government Gazette* 26275 of 23 April 2004 and as amended from time to time;

**“previous NEMA notices”** as contemplated in these transitional arrangements means the previous notices published in terms of section 24(2) of NEMA (Government Notices R. 386 and R. 387 in the *Government Gazette* of 21 April 2006, and as amended from time to time, or Government Notice No. R. 544, 545 and 546 in the *Government Gazette* of 18 June 2010, as amended from time to time); and

**“previous NEMA regulations”** as contemplated in these transitional arrangements means **[either]** the previous Environmental Impact Assessment Regulations published in terms of NEMA (Government Notice No. R. 385 in the *Government Gazette* of 21 April 2006 or Government Notice No. R. 543 in the *Government Gazette* of 18 June 2010).

#### Continuation of actions undertaken and authorisations issued under previous ECA regulations

50. (1) Any actions undertaken in terms of the ECA regulations and which can be undertaken in terms of a provision of these Regulations must be regarded as having been undertaken in terms of the provision of these Regulations.

(2) Any authorisation issued or exemption from obtaining an environmental authorisation granted in terms of the ECA regulations, must be regarded to be an environmental authorisation issued in terms of these Regulations.

**Pending applications [and appeals] (ECA)**

**51.** (1) An application submitted in terms of the ECA regulations and which is pending when these Regulations take effect, including pending applications for activities directly related to—

- (a) prospecting or exploration of a mineral or petroleum resource; or
- (b) extraction and primary processing of a mineral or petroleum resource;

must despite the repeal of those Regulations be dispensed with in terms of those Regulations as if those Regulations were not repealed.

(2) If a situation arises where an activity or activities listed under the ECA Notices no longer requires environmental authorisation in terms of the current activities and competent authorities identified in terms of sections 24(2) and 24D of the Act or in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), and where a decision on an application submitted under the ECA regulations is still pending, the competent authority will consider such application to be withdrawn.

(3) Where an application submitted in terms of the ECA regulations is pending in relation to an activity of which a component of the same activity was not listed under the ECA Notices, but is now identified in terms of section 24(2) of the Act, the competent authority must dispense of such application in terms of those ECA regulations and may authorise the activity identified in terms of section 24(2) as if it was applied for, on condition that all impacts of the newly listed activity and requirements of these Regulations have also been considered and adequately assessed.

**Continuation of actions undertaken and authorisations issued under previous NEMA regulations**

**52.** (1) Any actions undertaken in terms of the previous NEMA regulations and which can be undertaken in terms of a provision of these Regulations must be regarded as having been undertaken in terms of the provision of these Regulations.

(2) Any authorisation issued in terms of the previous NEMA Regulations must be regarded to be an environmental authorisation issued in terms of these Regulations.

**Pending applications and appeals (NEMA)**

**53.** (1) An application submitted in terms of the previous NEMA regulations and which is pending when these Regulations take effect, including pending applications for auxiliary activities directly related to—

- (a) prospecting or exploration of a mineral or petroleum resource; or
- (b) extraction and primary processing of a mineral or petroleum resource,

must despite the repeal of those Regulations be dispensed with in terms of those previous NEMA regulations as if those previous NEMA regulations were not repealed.

(2) If a situation arises where an activity or activities, identified under the previous NEMA Notices, no longer requires environmental authorisation in terms of the current activities and competent



authorities identified in terms of section 24(2) and 24D of the National Environmental Management Act, 1998 (Act No. 107 of 1998) or in terms of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008), and where a decision on an application submitted under the previous NEMA regulations is still pending, the competent authority will consider such application to be withdrawn.

(3) Where an application submitted in terms of the previous NEMA regulations, is pending in relation to an activity of which a component of the same activity was not identified under the previous NEMA notices, but is now identified in terms of section 24(2) of the Act, the competent authority must dispense of such application in terms of the previous NEMA regulations and may authorise the activity identified in terms of section 24(2) as if it was applied for, on condition that all impacts of the newly identified activity and requirements of these Regulations have also been considered and adequately assessed.

(4) An appeal lodged in terms of the previous NEMA regulations, and which is pending when these Regulations take effect must despite the repeal of those previous NEMA regulations be dispensed with in terms thereof as if those previous NEMA regulations were not repealed.

### **Pending applications (MPRDA)**

54. (1) An application submitted in terms of the previous MPRDA regulations and which is pending when these Regulations take effect must despite the repeal of those regulations be dispensed with in terms of those previous MPRDA regulations as if those previous MPRDA regulations were not repealed.

(2) An application submitted after the commencement of these Regulations for an amendment of an Environmental Management Programme or Environmental Management Plan, issued in terms of the Mineral and Petroleum Resources Development Act, 2002, must be dealt with in terms of Part 1 or Part 2 of Chapter 5 of these Regulations.

(3) "Application" for the purpose of subregulation (1) means an application for a permit, right, approval of an Environmental Management Programme or Environmental Management Plan or amendment of such permit, right or Environmental Management Programme[s] or Environmental Management Plan.

### **54A. Transitional provisions**

(1) Where, prior to 8 December 2014—

(a) environmental authorisation was required for activities directly related to—

(i) prospecting or exploration of a mineral or petroleum resource; or

(ii) extraction and primary processing of a mineral or petroleum resource;

and such environmental authorisation has been obtained; and

(b) a right, permit or exemption was required in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) for—

- (i) prospecting or exploration of a mineral or petroleum resource; or
- (ii) extraction and primary processing of a mineral or petroleum resource;

and such right, permit or exemption has been obtained, and activities authorised in such environmental authorisation, right, permit or exemption commenced after 8 December 2014, such environmental authorisation, right, permit or exemption is regarded as fulfilling the requirements of the Act: Provided that where an application for an environmental authorisation was refused or not obtained in terms of the Act for activities directly related to prospecting, exploration or extraction of a mineral or petroleum resource, including primary processing, this subregulation does not apply.

(2) Where a right or permit issued in terms of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) for—

- (a) prospecting or exploration of a mineral or petroleum resource; or
- (b) extraction and primary processing of a mineral or petroleum resource;

and the associated Environmental Management Programme or Environmental Management Plan approved in terms of Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) is still in effect after 8 December 2014, the requirements contained in Part 3 of Chapter 5 of these Regulations apply to such Environmental Management Programmes or Environmental Management Plans and the first environmental audit report must be submitted to the competent authority no later than 7 December 2019 and at least every 5 years thereafter for the period during which such right, permit, Environmental Management Programme or Environmental Management Plan is still in effect.

(3) Where an environmental authorisation issued in terms of the ECA regulations or the previous NEMA regulations is still in effect by 8 December 2014, the EMPr associated with such environmental authorisation is subject to the requirements contained in Part 3 of Chapter 5 of these Regulations and the first environmental audit report must be submitted to the competent authority no later than 7 December 2019 and at least every 5 years thereafter for the period during which such environmental authorisation is still in effect.

### **Continuation of regulations regulating authorisations for activities in certain coastal areas**

55. These Regulations do not affect the continued application of the regulations published in terms of sections 26 and 28 of the ECA, by Government Notice R. 1528 of 27 November 1998.

### **Repeal of Environmental Impact Assessment Regulations, 2010**

56. The Environmental Impact Assessment Regulations published in Government Notice No. R. 543, in the *Gazette* No. 33306 of 18 June 2010, is hereby repealed.

### **Short title and commencement**

57. These Regulations are called the Environmental Impact Assessment Regulations, 2014 and take effect on 8 December 2014.

## Appendix 1

### Basic assessment process

1. The environmental outcomes, impacts and residual risks of the proposed activity must be set out in the basic assessment report.

### Objective of the basic assessment process

2. The objective of the basic assessment process is to, through a consultative process—
  - (a) determine the policy and legislative context within which the proposed activity is located and how the activity complies with and responds to the policy and legislative context;
  - (b) identify the alternatives considered, including the activity, location, and technology alternatives;
  - (c) describe the need and desirability of the proposed alternatives[.];
  - (d) through the undertaking of an impact and risk assessment process, inclusive of cumulative impacts which focused on determining the geographical, physical, biological, social, economic, heritage[ ], and cultural sensitivity of the sites and locations within sites and the risk of impact of the proposed activity and technology alternatives on [the] these aspects to determine—
    - (i) the nature, significance, consequence, extent, duration, and probability of the impacts occurring to; and
    - (ii) the degree to which these impacts—
      - (aa) can be reversed;
      - (bb) may cause irreplaceable loss of resources; and
      - (cc) can be avoided, managed or mitigated; and
  - (e) through a ranking of the site sensitivities and possible impacts the activity and technology alternatives will impose on the sites and location identified through the life of the activity to—
    - (i) identify and motivate a preferred site, activity and technology alternative;
    - (ii) identify suitable measures to avoid, manage or mitigate identified impacts; and
    - (iii) identify residual risks that need to be managed and monitored.

### Scope of assessment and content of basic assessment reports

3. (1) A basic assessment report must contain the information that is necessary for the competent authority to consider and come to a decision on the application, and must include—

- (a) details of—
    - (i) the EAP who prepared the report; and
    - (ii) the expertise of the EAP, including a curriculum vitae;
  - (b) the location of the activity, including:
    - (i) the 21 digit Surveyor General code of each cadastral land parcel;
    - (ii) where available, the physical address and farm name;
    - (iii) where the required information in items (i) and (ii) is not available, the coordinates of the boundary of the property or properties;
  - (c) a plan which locates the proposed activity or activities applied for as well as associated structures and infrastructure at an appropriate scale;
- or, if it is—
- (i) a linear activity, a description and coordinates of the corridor in which the proposed activity or activities is to be undertaken; or
  - (ii) on land where the property has not been defined, the coordinates within which the activity is to be undertaken;
- (d) a description of the scope of the proposed activity, including—
    - (i) all listed and specified activities triggered and being applied for; and
    - (ii) a description of the activities to be undertaken including associated structures and infrastructure[ ];
  - (e) a description of the policy and legislative context within which the development is proposed including—
    - (i) an identification of all legislation, policies, plans, guidelines, spatial tools, municipal development planning frameworks, and instruments that are applicable to this activity and have been considered in the preparation of the report; and
    - (ii) how the proposed activity complies with and responds to the legislation and policy context, plans, guidelines, tools frameworks, and instruments;
  - (f) a motivation for the need and desirability for the proposed development including the need and desirability of the activity in the context of the preferred location;
  - (g) a motivation for the preferred site, activity and technology alternative;
  - (h) a full description of the process followed to reach the proposed preferred alternative within the site, including[:]=
    - (i) details of all the alternatives considered;

- (ii) details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs;
  - (iii) a summary of the issues raised by interested and affected parties, and an indication of the manner in which the issues were incorporated, or the reasons for not including them;
  - (iv) the environmental attributes associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;
  - (v) the impacts and risks identified for each alternative, including the nature, significance, consequence, extent, duration and probability of the impacts, including the degree to which these impacts—
    - (aa) can be reversed;
    - (bb) may cause irreplaceable loss of resources; and
    - (cc) can be avoided, managed or mitigated;
  - (vi) the methodology used in determining and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risks associated with the alternatives;
  - (vii) positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;
  - (viii) the possible mitigation measures that could be applied and level of residual risk;
  - (ix) the outcome of the site selection matrix;
  - (x) if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such; and
  - (xi) a concluding statement indicating the preferred alternatives, including preferred location of the activity;
- (i) a full description of the process undertaken to identify, assess and rank the impacts the activity will impose on the preferred location through the life of the activity, including—
- (i) a description of all environmental issues and risks that were identified during the environmental impact assessment process; and
  - (ii) an assessment of the significance of each issue and risk and an indication of the extent to which the issue and risk could be avoided or addressed by the adoption of mitigation measures;

**CONTINUES ON PAGE 258 - PART 3**



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- (j) an assessment of each identified potentially significant impact and risk, including—
  - (i) cumulative impacts;
  - (ii) the nature, significance and consequences of the impact and risk;
  - (iii) the extent and duration of the impact and risk;
  - (iv) the probability of the impact and risk occurring;
  - (v) the degree to which the impact and risk can be reversed;
  - (vi) the degree to which the impact and risk may cause irreplaceable loss of resources; and
  - (vii) the degree to which the impact and risk can be avoided, managed or mitigated;
- (k) where applicable, a summary of the findings and impact management measures identified in any specialist report complying with Appendix 6 to these Regulations and an indication as to how these findings and recommendations have been included in the final report;
- (l) an environmental impact statement which contains—
  - (i) a summary of the key findings of the environmental impact assessment;
  - (ii) a map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred site indicating any areas that should be avoided, including buffers; and
  - (iii) a summary of the positive and negative impacts and risks of the proposed activity and identified alternatives;
- (m) based on the assessment, and where applicable, impact management measures from specialist reports, the recording of the proposed **[impact management objectives, and the]** impact management outcomes for the development for inclusion in the EMPr;
- (n) any aspects which were conditional to the findings of the assessment either by the EAP or specialist which are to be included as conditions of authorisation;
- (o) a description of any assumptions, uncertainties, and gaps in knowledge which relate to the assessment and mitigation measures proposed;
- (p) a reasoned opinion as to whether the proposed activity should or should not be authorised, and if the opinion is that it should be authorised, any conditions that should be made in respect of that authorisation;
- (q) where the proposed activity does not include operational aspects, the period for which the environmental authorisation is required, the date on which the activity will be concluded, and the post construction monitoring requirements finalised;



- (r) an undertaking under oath or affirmation by the EAP in relation to:
  - (i) the correctness of the information provided in the reports;
  - (ii) the inclusion of comments and inputs from stakeholders and I&APs;
  - (iii) the inclusion of inputs and recommendations from the specialist reports where relevant; and
  - (iv) any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested and affected parties; and
- (s) where applicable, details of any financial provision for the rehabilitation, closure, and ongoing post decommissioning management of negative environmental impacts;
- (t) any specific information that may be required by the competent authority; and
- (u) any other matters required in terms of section 24(4)(a) and (b) of the Act.

(2) Where a government notice *gazetted* by the Minister provides for the basic assessment process to be followed, the requirements as indicated in such a notice will apply.

## Appendix 2

### Objective of the Scoping Process

1. The objective of the scoping process is to, through a consultative process—
  - (a) identify the relevant policies and legislation relevant to the activity;
  - (b) motivate the need and desirability of the proposed activity, including the need and desirability of the activity in the context of the preferred location;
  - (c) identify and confirm the preferred activity and technology alternative through an identification of impacts and risks and ranking process of such impacts and risks;
  - (d) identify and confirm the preferred site, through a detailed site selection process, which includes an identification of impacts and risks **[assessment process]** inclusive of identification of cumulative impacts and a ranking process of all the identified alternatives focusing on the geographical, physical, biological, social, economic, and cultural aspects of the environment;
  - (e) identify the key issues to be addressed in the assessment phase;
  - (f) agree on the level of assessment to be undertaken, including the methodology to be applied, the expertise required as well as the extent of further consultation to be undertaken to determine the impacts and risks the activity will impose on the preferred site through the life of the activity, including the nature, significance, consequence, extent, duration and probability of the impacts to inform the location of the development footprint within the preferred site; and
  - (g) identify suitable measures to avoid, manage or mitigate identified impacts and to determine the extent of the residual risks that need to be managed and monitored.

### Content of the scoping report

2. (1) A scoping report must contain the information that is necessary for a proper understanding of the process, informing all preferred alternatives, including location alternatives, the scope of the assessment, and the consultation process to be undertaken through the environmental impact assessment process, and must include—
  - (a) details of—
    - (i) the EAP who prepared the report; and
    - (ii) the expertise of the EAP, including a curriculum vitae;
  - (b) the location of the activity, including—
    - (i) the 21 digit Surveyor General code of each cadastral land parcel;
    - (ii) where available, the physical address and farm name;

- (iii) where the required information in items (i) and (ii) is not available, the coordinates of the boundary of the property or properties;
- (c) a plan which locates the proposed activity or activities applied for at an appropriate scale, or, if it is—
  - (i) a linear activity, a description and coordinates of the corridor in which the proposed activity or activities is to be undertaken; or
  - (ii) on land where the property has not been defined, the coordinates within which the activity is to be undertaken;
- (d) a description of the scope of the proposed activity, including—
  - (i) all listed and specified activities triggered;
  - (ii) a description of the activities to be undertaken, including associated structures and infrastructure;
- (e) a description of the policy and legislative context within which the development is proposed including an identification of all legislation, policies, plans, guidelines, spatial tools, municipal development planning frameworks and instruments that are applicable to this activity and are to be considered in the assessment process;
- (f) a motivation for the need and desirability for the proposed development including the need and desirability of the activity in the context of the preferred location;
- [(h)] (g) a full description of the process followed to reach the proposed preferred activity, site and location of the development footprint within the site, including—
  - (i) details of all the alternatives considered;
  - (ii) details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs;
  - (iii) a summary of the issues raised by interested and affected parties, and an indication of the manner in which the issues were incorporated, or the reasons for not including them;
  - (iv) the environmental attributes associated with the alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;
  - (v) the impacts and risks **[identified for]** which have informed the identification of each alternative, including the nature, significance, consequence, extent, duration and probability of **[the]** such identified impacts, including the degree to which these impacts—
    - (aa) can be reversed;
    - (bb) may cause irreplaceable loss of resources; and

- (cc) can be avoided, managed or mitigated;
  - (vi) the methodology used in **[determining]** identifying and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risks associated with the alternatives;
  - (vii) positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;
  - (viii) the possible mitigation measures that could be applied and level of residual risk;
  - (ix) the outcome of the site selection matrix;
  - (x) if no alternatives, including alternative locations for the activity were investigated, the motivation for not considering such; and
  - (xi) a concluding statement indicating the preferred alternatives, including preferred location of the activity;
- [(i)](h)** a plan of study for undertaking the environmental impact assessment process to be undertaken, including—
- (i) a description of the alternatives to be considered and assessed within the preferred site, including the option of not proceeding with the activity;
  - (ii) a description of the aspects to be assessed as part of the environmental impact assessment process;
  - (iii) aspects to be assessed by specialists;
  - (iv) a description of the proposed method of assessing the environmental aspects, **[including a description of the proposed method of assessing the environmental aspects]** including aspects to be assessed by specialists;
  - (v) a description of the proposed method of assessing duration and significance;
  - (vi) an indication of the stages at which the competent authority will be consulted;
  - (vii) particulars of the public participation process that will be conducted during the environmental impact assessment process; and
  - (viii) a description of the tasks that will be undertaken as part of the environmental impact assessment process;
  - (ix) identify suitable measures to avoid, reverse, mitigate or manage identified impacts and to determine the extent of the residual risks that need to be managed and monitored.

**[(j)](i)** an undertaking under oath or affirmation by the EAP in relation to—

- (i) the correctness of the information provided in the report;
- (ii) the inclusion of comments and inputs from stakeholders and interested and affected parties; and
- (iii) any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested or affected parties;

**[(k)](i)** an undertaking under oath or affirmation by the EAP in relation to the level of agreement between the EAP and interested and affected parties on the plan of study for undertaking the environmental impact assessment;

**[(l)](k)** where applicable, any specific information required by the competent authority; and

**[(m)](l)** any other matter required in terms of section 24(4)(a) and (b) of the Act.

(2) Where a government notice *gazetted* by the Minister provides for any protocol or minimum information requirement to be applied to a scoping report, the requirements as indicated in such notice will apply.

## Appendix 3

### Environmental impact assessment process

1. (1) The environmental impact assessment process must be undertaken in line with the approved plan of study for environmental impact assessment.

(2) The environmental impacts, mitigation and closure outcomes as well as the residual risks of the proposed activity must be set out in the environmental impact assessment report.

### Objective of the environmental impact assessment process

2. The objective of the environmental impact assessment process is to, through a consultative process—

- (a) determine the policy and legislative context within which the activity is located and document how the proposed activity complies with and responds to the policy and legislative context;
- (b) describe the need and desirability of the proposed activity, including the need and desirability of the activity in the context of the **[preferred location]** development footprint on the approved site as contemplated in the accepted scoping report;
- (c) identify the location of the development footprint within the **[preferred]** approved site as contemplated in the accepted scoping report based on an impact and risk assessment process inclusive of cumulative impacts and a ranking process of all the identified development footprint alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects of the environment;
- (d) determine the—
  - (i) nature, significance, consequence, extent, duration and probability of the impacts occurring to inform identified preferred alternatives; and
  - (ii) degree to which these impacts—
    - (aa) can be reversed;
    - (bb) may cause irreplaceable loss of resources, and
    - (cc) can be avoided, managed or mitigated;
- (e) identify the most ideal location for the activity within the **[preferred]** development footprint of the approved site as contemplated in the accepted scoping report based on the lowest level of environmental sensitivity identified during the assessment;
- (f) identify, assess, and rank the impacts the activity will impose on the **[preferred location]** development footprint on the approved site as contemplated in the accepted scoping report through the life of the activity;
- (g) identify suitable measures to avoid, manage or mitigate identified impacts; and
- (h) identify residual risks that need to be managed and monitored.

**Scope of assessment and content of environmental impact assessment reports**

3. (1) An environmental impact assessment report must contain the information that is necessary for the competent authority to consider and come to a decision on the application, and must include—

- (a) details of—
  - (iii) the EAP who prepared the report; and
  - (iv) the expertise of the EAP, including a curriculum vitae;
- (b) the location of the development footprint of the activity on the approved site as contemplated in the accepted scoping report, including:
  - (i) the 21 digit Surveyor General code of each cadastral land parcel;
  - (ii) where available, the physical address and farm name; and
  - (iii) where the required information in items (i) and (ii) is not available, the coordinates of the boundary of the property or properties;
- (c) a plan which locates the proposed activity or activities applied for as well as the associated structures and infrastructure at an appropriate scale, or, if it is—
  - (i) a linear activity, a description and coordinates of the corridor in which the proposed activity or activities is to be undertaken;
  - (ii) on land where the property has not been defined, the coordinates within which the activity is to be undertaken;
- (d) a description of the scope of the proposed activity, including—
  - (i) all listed and specified activities triggered and being applied for; and
  - (ii) a description of the associated structures and infrastructure related to the development;
- (e) a description of the policy and legislative context within which the development is located and an explanation of how the proposed development complies with and responds to the legislation and policy context;
- (f) a motivation for the need and desirability for the proposed development, including the need and desirability of the activity in the context of the preferred **[location]** development footprint within the approved site as contemplated in the accepted scoping report;
- (g) a motivation for the preferred development footprint within the approved site as contemplated in the accepted scoping report;

- (h) a full description of the process followed to reach the proposed development footprint within the approved site as contemplated in the accepted scoping report, including:
  - (i) details of the development footprint alternatives considered;
  - (ii) details of the public participation process undertaken in terms of regulation 41 of the Regulations, including copies of the supporting documents and inputs;
  - (iii) a summary of the issues raised by interested and affected parties, and an indication of the manner in which the issues were incorporated, or the reasons for not including them;
  - (iv) the environmental attributes associated with the development footprint alternatives focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;
  - (v) the impacts and risks identified including the nature, significance, consequence, extent, duration and probability of the impacts, including the degree to which these impacts—
    - (aa) can be reversed;
    - (bb) may cause irreplaceable loss of resources; and
    - (cc) can be avoided, managed or mitigated;
  - (vi) the methodology used in determining and ranking the nature, significance, consequences, extent, duration and probability of potential environmental impacts and risks;
  - (vii) positive and negative impacts that the proposed activity and alternatives will have on the environment and on the community that may be affected focusing on the geographical, physical, biological, social, economic, heritage and cultural aspects;
  - (viii) the possible mitigation measures that could be applied and level of residual risk;
  - (ix) if no alternative development **[locations]** footprints for the activity were investigated, the motivation for not considering such; and
  - (x) a concluding statement indicating the location of the preferred alternative development **[location]** footprint within the approved site as contemplated in the accepted scoping report;
- (i) a full description of the process undertaken to identify, assess and rank the impacts the activity and associated structures and infrastructure will impose on the preferred **[location]** development footprint on the approved site as contemplated in the accepted scoping report through the life of the activity, including—



- (i) a description of all environmental issues and risks that were identified during the environmental impact assessment process; and
  - (ii) an assessment of the significance of each issue and risk and an indication of the extent to which the issue and risk could be avoided or addressed by the adoption of mitigation measures;
- (j) an assessment of each identified potentially significant impact and risk, including—
  - (i) cumulative impacts;
  - (ii) the nature, significance and consequences of the impact and risk;
  - (iii) the extent and duration of the impact and risk;
  - (iv) the probability of the impact and risk occurring;
  - (v) the degree to which the impact and risk can be reversed;
  - (vi) the degree to which the impact and risk may cause irreplaceable loss of resources; and
  - (vii) the degree to which the impact and risk can be mitigated;
- (k) where applicable, a summary of the findings and recommendations of any specialist report complying with Appendix 6 to these Regulations and an indication as to how these findings and recommendations have been included in the final assessment report;
- (l) an environmental impact statement which contains—
  - (i) a summary of the key findings of the environmental impact assessment;
  - (ii) a map at an appropriate scale which superimposes the proposed activity and its associated structures and infrastructure on the environmental sensitivities of the preferred **[site]** development footprint on the approved site as contemplated in the accepted scoping report indicating any areas that should be avoided, including buffers; and
  - (iii) a summary of the positive and negative impacts and risks of the proposed activity and identified alternatives;
- (m) based on the assessment, and where applicable, recommendations from specialist reports, the recording of proposed **[impact management objectives, and the]** impact management outcomes for the development for inclusion in the EMPr as well as for inclusion as conditions of authorisation;
- (n) the final proposed alternatives which respond to the impact management measures, avoidance, and mitigation measures identified through the assessment;
- (o) any aspects which were conditional to the findings of the assessment either by the EAP or specialist which are to be included as conditions of authorisation;

- (p) a description of any assumptions, uncertainties and gaps in knowledge which relate to the assessment and mitigation measures proposed;
- (q) a reasoned opinion as to whether the proposed activity should or should not be authorised, and if the opinion is that it should be authorised, any conditions that should be made in respect of that authorisation;
- (r) where the proposed activity does not include operational aspects, the period for which the environmental authorisation is required and the date on which the activity will be concluded and the post construction monitoring requirements finalised;
- (s) an undertaking under oath or affirmation by the EAP in relation to:
  - (i) the correctness of the information provided in the reports;
  - (ii) the inclusion of comments and inputs from stakeholders and I&APs;
  - (iii) the inclusion of inputs and recommendations from the specialist reports where relevant; and
  - (iv) any information provided by the EAP to interested and affected parties and any responses by the EAP to comments or inputs made by interested or affected parties;
- (t) where applicable, details of any financial provision[s] for the rehabilitation, closure, and ongoing post decommissioning management of negative environmental impacts;
- (u) an indication of any deviation from the approved scoping report, including the plan of study, including—
  - (i) any deviation from the methodology used in determining the significance of potential environmental impacts and risks; and
  - (ii) a motivation for the deviation;
- (v) any specific information that may be required by the competent authority; and
- (w) any other matters required in terms of section 24(4)(a) and (b) of the Act.

(2) Where a government notice *gazetted* by the Minister provides for any protocol or minimum information requirement to be applied to an environmental impact assessment report the requirements as indicated in such notice will apply.

## Appendix 4

### Content of environmental management programme (EMPr)

1. (1) An EMPr must comply with section 24N of the Act and include—
  - (a) details of—
    - (i) the EAP who prepared the EMPr; and
    - (ii) the expertise of that EAP to prepare an EMPr, including a curriculum vitae;
  - (b) a detailed description of the aspects of the activity that are covered by the EMPr as identified by the project description;
  - (c) a map at an appropriate scale which superimposes the proposed activity, its associated structures, and infrastructure on the environmental sensitivities of the preferred site, indicating any areas that **[any areas that]** should be avoided, including buffers;
  - (d) a description of the impact management **[objectives]** outcomes, including management statements, identifying the impacts and risks that need to be avoided, managed and mitigated as identified through the environmental impact assessment process for all phases of the development including—
    - (i) planning and design;
    - (ii) pre-construction activities;
    - (iii) construction activities;
    - (iv) rehabilitation of the environment after construction and where applicable post closure; and
    - (v) where relevant, operation activities;
  - [(e) a description and identification of impact management outcomes required for the aspects contemplated in paragraph (d);]**
  - (f) a description of proposed impact management actions, identifying the manner in which the impact management **[objectives and]** outcomes contemplated in paragraph (d) **[and (e)]** will be achieved, and must, where applicable, include actions to —
    - (i) avoid, modify, remedy, control or stop any action, activity or process which causes pollution or environmental degradation;
    - (ii) comply with any prescribed environmental management standards or practices;
    - (iii) comply with any applicable provisions of the Act regarding closure, where applicable; and
    - (iv) comply with any provisions of the Act regarding financial provision for rehabilitation, where applicable;

- (g) the method of monitoring the implementation of the impact management actions contemplated in paragraph (f);
- (h) the frequency of monitoring the implementation of the impact management actions contemplated in paragraph (f);
- (i) an indication of the persons who will be responsible for the implementation of the impact management actions;
- (j) the time periods within which the impact management actions contemplated in paragraph (f) must be implemented;
- (k) the mechanism for monitoring compliance with the impact management actions contemplated in paragraph (f);
- (l) a program for reporting on compliance, taking into account the requirements as prescribed by the Regulations;
- (m) an environmental awareness plan describing the manner in which—
  - (i) the applicant intends to inform his or her employees of any environmental risk which may result from their work; and
  - (ii) risks must be dealt with in order to avoid pollution or the degradation of the environment; and
- (n) any specific information that may be required by the competent authority.

(2) Where a government notice *gazetted* by the Minister provides for a generic EMPr, such generic EMPr as indicated in such notice will apply.

## Appendix 5

### Content of closure plan

1. (1) A closure plan must include—
  - (a) details of –
    - (i) the EAP who prepared the closure plan; and
    - (ii) the expertise of that EAP;
  - (b) closure objectives;
  - (c) proposed mechanisms for monitoring compliance with and performance assessment against the closure plan and reporting thereon;
  - (d) measures to rehabilitate the environment affected by the undertaking of any listed activity or specified activity and associated closure to its natural or predetermined state or to a land use which conforms to the generally accepted principle of sustainable development, including a handover report, where applicable;
  - (e) information on any proposed avoidance, management and mitigation measures that will be taken to address the environmental impacts resulting from the undertaking of the closure activity;
  - (f) a description of the manner in which it intends to—
    - (i) modify, remedy, control or stop any action, activity or process which causes pollution or environmental degradation during closure;
    - (ii) remedy the cause of pollution or degradation and migration of pollutants during closure;
    - (iii) comply with any prescribed environmental management standards or practices; and
    - (iv) comply with any applicable provisions of the Act regarding closure;
  - (g) time periods within which the measures contemplated in the closure plan must be implemented;
  - (h) the process for managing any environmental damage, pollution, pumping and treatment of extraneous water or ecological degradation as a result of closure; **[and]**
  - (i) details of all public participation processes conducted in terms of regulation 41 of the Regulations, including—
    - (i) copies of any representations and comments received from registered interested and affected parties;

- (ii) a summary of comments received from, and a summary of issues raised by registered interested and affected parties, the date of receipt of these comments and the response of the EAP to those comments;
  - (iii) the minutes of any meetings held by the EAP with interested and affected parties and other role players which record the views of the participants;
  - (iv) where applicable, an indication of the amendments made to the plan as a result of public participation processes conducted in terms of regulation 41 of these Regulations[:]; and
- (j) where applicable, details of any financial provision for the rehabilitation, closure and on-going post decommissioning management of negative environmental impacts.

## Appendix 6

### Specialist reports

1. (1) A specialist report prepared in terms of these Regulations must contain—
  - (a) details of—
    - (i) the specialist who prepared the report; and
    - (ii) the expertise of that specialist to compile a specialist report including a curriculum vitae;
  - (b) a declaration that the specialist is independent in a form as may be specified by the competent authority;
  - (c) an indication of the scope of, and the purpose for which, the report was prepared;
  - (cA) an indication of the quality and age of base data used for the specialist report;
  - (cB) a description of existing impacts on the site, cumulative impacts of the proposed development and levels of acceptable change;
  - (d) the duration, date and season of the site investigation and the relevance of the season to the outcome of the assessment;
  - (e) a description of the methodology adopted in preparing the report or carrying out the specialised process inclusive of equipment and modelling used;
  - (f) details of an assessment of the specific identified sensitivity of the site related to the proposed activity or activities and its associated structures and infrastructure, inclusive of a site plan identifying site alternatives;
  - (g) an identification of any areas to be avoided, including buffers;
  - (h) a map superimposing the activity including the associated structures and infrastructure on the environmental sensitivities of the site including areas to be avoided, including buffers;
  - (i) a description of any assumptions made and any uncertainties or gaps in knowledge;
  - (j) a description of the findings and potential implications of such findings on the impact of the proposed activity[, **including identified alternatives on the environment**]or activities;
  - (k) any mitigation measures for inclusion in the EMPr;
  - (l) any conditions for inclusion in the environmental authorisation;
  - (m) any monitoring requirements for inclusion in the EMPr or environmental authorisation;
  - (n) a reasoned opinion—

- (i) **[as to]** whether the proposed activity, activities or portions thereof should be authorised;
- (iA) regarding the acceptability of the proposed activity or activities; and
- (ii) if the opinion is that the proposed activity, activities or portions thereof should be authorised, any avoidance, management and mitigation measures that should be included in the EMPr, and where applicable, the closure plan;
- (o) a description of any consultation process that was undertaken during the course of preparing the specialist report;
- (p) a summary and copies of any comments received during any consultation process and where applicable all responses thereto; and
- (q) any other information requested by the competent authority.

(2) Where a government notice *gazetted* by the Minister provides for any protocol or minimum information requirement to be applied to a specialist report, the requirements as indicated in such notice will apply.



## Appendix 7

### Environmental audit report

1. The environmental audit report must provide for recommendations regarding the need to amend the EMPr, and where applicable, the closure plan.

### Objective of the environmental audit report

2. The objective of the environmental audit report is to—
  - (a) report on—
    - (i) the level of compliance with the conditions of the environmental authorisation and the EMPr, and where applicable, the closure plan; and
    - (ii) the extent to which the avoidance, management and mitigation measures provided for in the EMPr, and where applicable, the closure plan achieve the objectives and outcomes of the EMPr, and closure plan[.];
  - (b) identify and assess any new impacts and risks as a result of undertaking the activity;
  - (c) evaluate the effectiveness of the EMPr, and where applicable, the closure plan;
  - (d) identify shortcomings in the EMPr, and where applicable, the closure plan; and
  - (e) identify the need for any changes to the avoidance, management and mitigation measures provided for in the EMPr, and where applicable, the closure plan.

### Content of environmental audit reports

3. (1) An environmental audit report prepared in terms of these Regulations must contain—
  - (a) details of the—
    - (i) **[the]** independent person who prepared the environmental audit report; and
    - (ii) **[the]** expertise of the independent person that compiled the environmental audit report;
  - (b) a declaration that the independent auditor is independent in a form as may be specified by the competent authority;
  - (c) an indication of the scope of, and the purpose for which, the environmental audit report was prepared;
  - (d) a description of the methodology adopted in preparing the environmental audit report;

- (e) an indication of the ability of the EMPr, and where applicable, the closure plan to—
  - (i) sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the undertaking of the activity on an on-going basis;
  - (ii) sufficiently provide for the avoidance, management and mitigation of environmental impacts associated with the closure of the facility; and
  - (iii) ensure compliance with the provisions of environmental authorisation, EMPr, and where applicable, the closure plan;
- (f) a description of any assumptions made, and any uncertainties or gaps in knowledge;
- (g) a description of any consultation process that was undertaken during the course of carrying out the environmental audit report;
- ~~[(j)]~~(h) a summary and copies of any comments that were received during any consultation process; and
- ~~[(k)]~~(i) any other information requested by the competent authority.

## DEPARTMENT OF ENVIRONMENTAL AFFAIRS

NO. 327

07 APRIL 2017

**NATIONAL ENVIRONMENTAL MANAGEMENT ACT, 1998  
(ACT NO. 107 OF 1998)****AMENDMENT OF THE ENVIRONMENTAL IMPACT ASSESSMENT  
REGULATIONS LISTING NOTICE 1 OF 2014**

I, Bomo Edith Edna Molewa, Minister of Environmental Affairs, hereby amend the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, published under Government Notice No. 983 in Gazette No. 38282 on 4 December 2014 in terms of sections 24(2), 24(5), 24D and 44, read with section 47A(1)(b) of the National Environmental Management Act, 1998 (Act No. 107 of 1998), as set out in the Schedule hereto.

For ease of reading the full text of the existing list, with the amendments indicated, is published. The amendments take effect on the date that these amendments are published in the *Gazette*.



**BOMO EDITH EDNA MOLEWA  
MINISTER OF ENVIRONMENTAL AFFAIRS**

## SCHEDULE

### GENERAL EXPLANATORY NOTE:

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

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

### PURPOSE

1. The purpose of this Notice is to identify activities that would require environmental authorisations prior to commencement of that activity and to identify competent authorities in terms of sections 24(2) and 24D of the Act.

### DEFINITIONS

2. (1) In this Notice, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned, and unless the context otherwise indicates—

“**agriculture**” for purposes of this notice means any cultivation or raising of crops, feeding, breeding, keeping or raising of livestock;

“**agri-industrial**” means an undertaking involving the beneficiation of agricultural produce;

“**associated structures, infrastructure and earthworks**” means any structures, infrastructure or earthworks, including borrow pits, that is necessary for the development and functioning of a facility or activity;

“**canal**” means an open structure, that is lined or reinforced, for the conveying of a liquid or that serves as an artificial watercourse;

**“channel”** means an excavated hollow bed for running water or an artificial underwater depression to make a water body navigable in a natural watercourse, river or the sea;

**“concentration of animals”** means the keeping of animals in a confined space or structure, including a feedlot, where they are fed in order to prepare them for slaughter or to produce products such as milk or eggs;

**“dam”** when used in these Regulations means any barrier dam and any other form of impoundment used for the storage of water, excluding reservoirs;

**“dangerous goods”** means goods containing any of the substances as contemplated in South African National Standard No. 10234, supplement 2008 1.00: designated “List of classification and labelling of chemicals in accordance with the Globally Harmonized Systems (GHS)” published by Standards South Africa, and where the presence of such goods, regardless of quantity, in a blend or mixture, causes such blend or mixture to have one or more of the characteristics listed in the Hazard Statements in section 4.2.3, namely physical hazards, health hazards or environmental hazards;

**“decommissioning”** means to take out of active service permanently or dismantle partly or wholly, or closure of a facility to the extent that it cannot be readily re-commissioned;

**“development”** means the building, erection, construction or establishment of a facility, structure or infrastructure, including associated earthworks or borrow pits, that is necessary for the undertaking of a listed or specified activity, **[including any associated post development monitoring,]** but excludes any modification, alteration or expansion of such a facility, structure or infrastructure, including associated earthworks or borrow pits, and excluding the redevelopment of the same facility in the same location, with the same capacity and footprint;

**“development footprint”** means any evidence of physical alteration as a result of the undertaking of any activity;

**“development setback”** means a setback line defined or adopted by the competent authority;

**“expansion”** means the modification, extension, alteration or upgrading of a facility, structure or infrastructure at which an activity takes place in such a manner that the capacity of the facility or the footprint of the activity is increased;

**“indigenous vegetation”** refers to vegetation consisting of indigenous plant species occurring naturally in an area, regardless of the level of alien infestation and where the topsoil has not been lawfully disturbed during the preceding ten years;

**“industrial complex”** means an area used or zoned for industrial purposes, including bulk storage, manufacturing, processing or packaging purposes;

**“large stock unit”** means domesticated units including but not limited to cattle and horses, as well as game, including but not limited to antelope and buck with an average adult male live weight of 100 kilograms or more;

**“linear activit[ies]y”** means an activity that is arranged in or extending along one or more properties and which affects the environment or any aspect of the environment along the course of the activity, and includes railways, roads, canals, channels, funiculars, pipelines, conveyor belts, cableways, power lines, fences, runways, aircraft landing strips, firebreaks and telecommunication lines;

**“maintenance”** means actions performed to keep a structure or system functioning or in service on the same location, capacity and footprint;

**“maintenance management plan”** means a management plan for maintenance purposes defined or adopted by the competent authority;

**“marina”** means a constructed waterway that is normally associated with residential or commercial use and that could include mooring facilities;

**“phased activities”** means an activity that is developed in phases over time on the same or adjacent properties to create a single or linked entity, but excludes any activity for which an environmental authorisation has been obtained in terms of the Act or the Environment Conservation Act, 1989 (Act No. 73 of 1989);

**“previous NEMA notices”** as contemplated in these transitional arrangements means the previous notices published in terms of section 24(2) of NEMA (Government Notices R. 386 and R. 387 in the Government *Gazette* of 21 April 2006, as amended, or Government Notice No. R. 544, 545 and 546 in the Government *Gazette* of 18 June 2010, as amended, or Government Notice No. R 983, 984 and 985 in the Government *Gazette* of 4 December 2014);

**“small stock unit”** means domesticated units, including sheep, goats and pigs, as well as game, including but not limited to antelope and buck with an average adult male live weight of less than 100 kilograms;

**“the Act”** means the National Environmental Management Act, 1998 (Act No. 107 of 1998), as amended;

**“throughput capacity”** means the design capacity or maximum capable capacity of a facility, structures or infrastructure, whichever is the greater;

**“unit”** in relation to a quantity standard for determining throughput of facilities or infrastructure for the slaughter of animals, has the meaning assigned to it in Regulations promulgated in terms of the Meat Safety Act, 2000 (Act No. [of] 40 of 2000);

**“urban areas”** means areas situated within the urban edge (as defined or adopted by the competent authority), or in instances where no urban edge or boundary has been defined or adopted, it refers to areas situated within the edge of built-up areas;

**“watercourse”** means –

- (a) a river or spring;

- (b) a natural channel in which water flows regularly or intermittently;
- (c) a wetland, pan, lake or dam into which, or from which, water flows; and any collection of water which the Minister may, by notice in the *Gazette*, declare to be a watercourse as defined in the National Water Act, 1998 (Act No. 36 of 1998); and

a reference to a watercourse includes, where relevant, its bed and banks; and

**“wetland”** means land which is transitional between terrestrial and aquatic systems where the water table is usually at or near the surface, or the land is periodically covered with shallow water, and which land in normal circumstances supports or would support vegetation typically adapted to life in saturated soil.

- (2) The following words relevant to coastal activities will have the meaning **[so]** assigned to it in the National Environmental Management: Integrated Coastal Management Act, 2008 (Act No. 24 of 2008):
  - a) “coastal public property”;
  - b) “estuary”;
  - c) “high-water mark”;
  - d) “littoral active zone”;
  - e) “sea”; and
  - f) “seashore”.
- (3) The following words will have the meaning assigned to them in terms of section 1 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002):
  - a) “exploration right”;
  - b) “mine”;
  - c) “mineral”;
  - d) “mining permit”;
  - e) “mining right”;
  - f) “petroleum”;
  - g) “production right”; and
  - h) “prospecting right”.



**IDENTIFIED ACTIVITIES AND COMPETENT AUTHORITIES**

3. (1) The activities listed in Appendix 1 are identified in terms of section 24(2) (a) of the Act as activities that may not commence without an environmental authorisation from the competent authority.

(2) The investigation, assessment and communication of potential impact of activities must follow the procedure as prescribed in regulations 19 and 20 of the Environmental Impact Assessment Regulations[, 2014] published in terms of section 24(5) of the Act.

**[(3) Where Listing Notice 4 applies, an application for environmental authorisation must be submitted for an activity contemplated in that Notice and not for an activity contemplated in this Notice.]**

**REPEAL OF NOTICE 544 OF 18 June 2010**

4. Notice No. 544 published in *Gazette* 33306 on 18 June 2010 is hereby repealed.

**SHORT TITLE**

5. This Listing Notice is called the Environmental Impact Assessment Regulations Listing Notice 1 of 2014, and takes effect on 8 December 2014.

**APPENDIX 1****Identification of competent authority:**

The competent authority in respect of the activities listed in this part of the Notice is the competent authority in the province in which the activity is to be undertaken, unless—

- (a) it is an application for an activity contemplated in section 24C(2) of the Act, in which case the competent authority is the Minister or an organ of state with delegated powers in terms of section 42(1) of the Act; or
- (b) the listed or specified activity is or is directly related to—
  - i. prospecting or exploration of a mineral or petroleum resource; or
  - ii. extraction and primary processing of a mineral or petroleum resource; in which case the competent authority is the Minister responsible for mineral resources.

The exception mentioned in (b) above does not apply to the following activities contained in this Notice: 4; 5; 6; 7; 8; 23; 29; 30; 38; 39; 40; 41; 42; 43; 44; and 61.

Activity number	Activity description	[Identification of competent authority]
1.	<p>The development of facilities or infrastructure for the generation of electricity from a renewable resource where—</p> <p>(i) the electricity output is more than 10 megawatts but less than 20 megawatts; or</p> <p>(ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare;</p> <p>excluding where such development of facilities or infrastructure is for photovoltaic installations and occurs—</p> <p>(a) within an urban area; or</p> <p>(b) on existing infrastructure.</p>	<p>[The competent authority in respect of the activities listed in this part of the Notice is the competent authority in the province in which the activity is to be undertaken, unless—</p> <p>(a) It is an application for an activity contemplated in section 24C(2) of the Act, in which case the competent authority is the Minister or an organ of state with delegated powers in terms of section 42(1) of the Act;</p> <p>(b) The listed or specified activity is or is directly related to—</p>
2.	<p>The development and related operation of facilities or infrastructure for the generation of electricity from a non-renewable resource where—</p> <p>(i) the electricity output is more than 10 megawatts but less than 20 megawatts; or</p> <p>(ii) the output is 10 megawatts or less but the total extent of the facility covers an area in excess of 1 hectare.</p>	

3.	<p>The development and related operation of facilities or infrastructure for the slaughter of animals with a <b>[product throughput of]</b>—</p> <p>(i) <u>product throughput of poultry</u> exceeding 50 poultry per day;</p> <p>(ii) <u>product throughput of reptiles, game and red meat</u> exceeding 6 units per day;</p> <p>or</p> <p>(iii) <u>wet weight product throughput of fish, crustaceans or amphibians</u> <b>[with a wet weight product throughput of]</b> exceeding 20 000 kg per annum.</p>	<p>(i) prospecting or exploration of a mineral or petroleum resource; or</p> <p>(ii) extraction and primary processing of a mineral or petroleum resource;</p> <p>in which case the competent authority is the Minister responsible for mineral resources.</p>
4.	<p>The development and related operation of facilities or infrastructure for the concentration of animals <b>[for the purpose of commercial production]</b> in densities that exceed—</p> <p>(i) 20 square metres per large stock unit and more than 500 units per facility;</p> <p>(ii) 8 square meters per small stock unit and;</p> <p>a. more than 1 000 units per facility excluding pigs where (b) applies; or</p> <p>b. more than 250 pigs per facility excluding piglets that are not yet weaned;</p> <p>(iii) 30 square metres per crocodile <b>[at any level of production, excluding crocodiles younger than 6 months]</b> and more than 20 crocodiles per facility;</p> <p>(iv) 3 square metres per rabbit and more than 500 rabbits per facility; or</p> <p>(v) 250 square metres per ostrich or emu and more than 50 ostriches or emus per facility.</p>	<p>The exception mentioned in (b) above does not apply to the following activities contained in this Notice:</p> <p>4;</p> <p>5;</p> <p>6;</p> <p>7;</p> <p>8;</p> <p>23;</p> <p>29;</p>
5.	<p>The development and related operation of facilities or infrastructure for the concentration of—</p>	

	<p>(i) more than 1 000 poultry per facility situated within an urban area, excluding chicks younger than 20 days;</p> <p>(ii) more than 5 000 poultry per facility situated outside an urban area, excluding chicks younger than 20 days;</p> <p>(iii) more than 5 000 chicks younger than 20 days per facility situated within an urban area; or</p> <p>(iv) more than 25 000 chicks younger than 20 days per facility situated outside an urban area.</p>	<p><b>30;</b></p> <p><b>38;</b></p> <p><b>39;</b></p> <p><b>40;</b></p> <p><b>41;</b></p> <p><b>42;</b></p> <p><b>43;</b></p> <p><b>44;</b></p> <p><b>61; and</b></p> <p><b>62.]</b></p>
<b>6.</b>	<p>The development and related operation of facilities, infrastructure or structures for aquaculture of—</p> <p>(i) finfish, crustaceans, reptiles or amphibians, where such facility, infrastructure or structures will have a production output exceeding 20 000 kg per annum (wet weight);</p> <p>(ii) molluscs and echinoderms, where such facility, infrastructure or structures will have a production output exceeding 30 000 kg per annum (wet weight); or</p> <p>(iii) aquatic plants, where such facility, infrastructure or structures will have a production output exceeding 60 000 kg per annum (wet weight);</p> <p>excluding where the development of such facilities, infrastructure or structures is for purposes of sea-based cage culture in which case activity 7 in this Notice applies.</p>	

7.	The development and related operation of facilities, infrastructure or structures for aquaculture of sea-based cage culture of finfish, crustaceans, reptiles, amphibians, molluscs, echinoderms and aquatic plants, where the facility, infrastructure or structures will have a production output exceeding 50 000 kg per annum (wet weight).	
8.	The development and related operation of hatcheries or agri-industrial facilities outside industrial complexes where the development footprint covers an area of 2 000 square metres or more.	
9.	<p>The development of infrastructure exceeding 1 000 metres in length for the bulk transportation of water or storm water—</p> <ul style="list-style-type: none"> <li>(i) with an internal diameter of 0,36 metres or more; or</li> <li>(ii) with a peak throughput of 120 litres per second or more;</li> </ul> <p>excluding where—</p> <ul style="list-style-type: none"> <li>(a) such infrastructure is for bulk transportation of water or storm water or storm water drainage inside a road reserve <u>or railway line reserve</u>; or</li> <li>(b) where such development will occur within an urban area.</li> </ul>	
10.	<p>The development and related operation of infrastructure exceeding 1 000 metres in length for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes –</p> <ul style="list-style-type: none"> <li>(i) with an internal diameter of 0,36 metres or more; or</li> <li>(ii) with a peak throughput of 120 litres per second or more;</li> </ul>	

	<p>excluding where—</p> <p>(a) such infrastructure is for <u>the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes inside a road reserve or railway line reserve</u>; or</p> <p>(b) where such development will occur within an urban area.</p>	
11.	<p>The development of facilities or infrastructure for the transmission and distribution of electricity—</p> <p>(i) outside urban areas or industrial complexes with a capacity of more than 33 but less than 275 kilovolts; or</p> <p>(ii) inside urban areas or industrial complexes with a capacity of 275 kilovolts or more;</p> <p><u>excluding the development of bypass infrastructure for the transmission and distribution of electricity where such bypass infrastructure is —</u></p> <p>(a) <u>temporarily required to allow for maintenance of existing infrastructure;</u></p> <p>(b) <u>2 kilometres or shorter in length;</u></p> <p>(c) <u>within an existing transmission line servitude; and</u></p> <p>(d) <u>will be removed within 18 months of the commencement of development.</u></p>	
12.	<p><b>[The development of—</b></p> <p>(i) <b>canals exceeding 100 square metres in size;</b></p> <p>(ii) <b>channels exceeding 100 square metres in size;</b></p>	

	<p>(iii) bridges exceeding 100 square metres in size;</p> <p>(iv) dams, where the dam, including infrastructure and water surface area, exceeds 100 square metres in size;</p> <p>(v) weirs, where the weir, including infrastructure and water surface area, exceeds 100 square metres in size;</p> <p>(vi) bulk storm water outlet structures exceeding 100 square metres in size;</p> <p>(vii) marinas exceeding 100 square metres in size;</p> <p>(viii) jetties exceeding 100 square metres in size;</p> <p>(ix) slipways exceeding 100 square metres in size;</p> <p>(x) buildings exceeding 100 square metres in size;</p> <p>(xi) boardwalks exceeding 100 square metres in size; or</p> <p>(xii) infrastructure or structures with a physical footprint of 100 square metres or more; ]</p> <p><u>The development of—</u></p> <p>(i) dams or weirs, where the dam or weir, including infrastructure and water surface area, exceeds 100 square metres; or</p> <p>(ii) infrastructure or structures with a physical footprint of 100 square metres or more;</p> <p>where such development occurs—</p>	
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	<p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse; —</p> <p>excluding—</p> <p>(aa) the development of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(bb) where such development activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p> <p>(dd) where such development occurs within an urban area; <b>[or]</b></p> <p>(ee) where such development occurs within existing roads, <b>[or]</b> road reserves <u>or railway line reserves; or</u></p> <p>(ff) <u>the development of temporary infrastructure or structures where such infrastructure or structures will be removed within 6 weeks of the commencement of development and where indigenous vegetation will not be cleared.</u></p>	
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13.	The development of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, with a combined capacity of 50 000 cubic metres or more, unless such storage falls within the ambit of activity 16 in Listing Notice 2 of 2014.	
14.	The development and <u>related operation</u> of facilities or infrastructure, for the storage, or for the storage and handling, of a dangerous good, where such storage occurs in containers with a combined capacity of 80 cubic metres or more but not exceeding 500 cubic metres.	
15.	<p>The development of structures in the coastal public property where the development footprint is bigger than 50 square metres, excluding—</p> <ul style="list-style-type: none"> <li>(i) the development of structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</li> <li>(ii) the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</li> <li>(iii) the development of temporary structures within the beach zone where such structures will be removed within 6 weeks of the commencement of development and where <u>coral or indigenous</u> vegetation will not be cleared; or</li> <li>(iv) activities listed in activity 14 in Listing Notice 2 of 2014, in which case that activity applies.</li> </ul>	

16.	The development and related operation of facilities for the desalination of water with a design capacity to produce more than 100 cubic metres of treated water per day.	
17.	<p>Development—</p> <ul style="list-style-type: none"> <li>(i) in the sea;</li> <li>(ii) in an estuary;</li> <li>(iii) within the littoral active zone;</li> <li>(iv) in front of a development setback; or</li> <li>(v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;</li> </ul> <p>in respect of—</p> <ul style="list-style-type: none"> <li>(a) fixed or floating jetties and slipways;</li> <li>(b) tidal pools;</li> <li>(c) embankments;</li> <li>(d) rock revetments or stabilising structures including stabilising walls; <u>or</u></li> <li>(e) <b>[buildings of 50 square metres or more; or</b></li> <li><b>(f)]</b> infrastructure <u>or structures</u> with a development footprint of 50 square metres or more —</li> </ul> <p>but excluding—</p>	

	<p>(aa) the development of infrastructure and structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(bb) where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) the development of temporary infrastructure or structures where such structures will be removed within 6 weeks of the commencement of development and where <u>coral or indigenous</u> vegetation will not be cleared; or</p> <p>(dd) where such development occurs within an urban area.</p>	
18.	<p>The planting of vegetation or placing of any material on dunes or exposed sand surfaces of more than 10 square metres, within the littoral active zone, for the purpose of preventing the free movement of sand, erosion or accretion, excluding where —</p> <p>(i) the planting of vegetation or placement of material relates to restoration and maintenance of indigenous coastal vegetation undertaken in accordance with a maintenance management plan; or</p> <p>(ii) such planting of vegetation or placing of material will occur behind a development setback.</p>	
19.	<p>The infilling or depositing of any material of more than <b>[5]</b> <u>10</u> cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than <b>[5]</b> <u>10</u> cubic metres from <b>[-(i)]</b> a watercourse;</p> <p><b>[(ii) the seashore; or</b></p>	

	<p>(iii) <u>the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or estuary, whichever distance is the greater—</u>]</p> <p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(a) will occur behind a development setback;</p> <p>(b) is for maintenance purposes undertaken in accordance with a maintenance management plan; <b>[or]</b></p> <p>(c) falls within the ambit of activity 21 in this Notice, in which case that activity applies;</p> <p>(d) <u>occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</u></p> <p>(e) <u>where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</u></p>
<b>19A.</b>	<p><u>The infilling or depositing of any material of more than 5 cubic metres into, or the dredging, excavation, removal or moving of soil, sand, shells, shell grit, pebbles or rock of more than 5 cubic metres from—</u></p> <p>(i) <u>the seashore;</u></p> <p>(ii) <u>the littoral active zone, an estuary or a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever distance is the greater; or</u></p> <p>(iii) <u>the sea: —</u></p>

	<p>but excluding where such infilling, depositing, dredging, excavation, removal or moving—</p> <p>(f) <u>will occur behind a development setback;</u></p> <p>(g) <u>is for maintenance purposes undertaken in accordance with a maintenance management plan;</u></p> <p>(h) <u>falls within the ambit of activity 21 in this Notice, in which case that activity applies;</u></p> <p>(i) <u>occurs within existing ports or harbours that will not increase the development footprint of the port or harbour; or</u></p> <p><u>where such development is related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies.</u></p>	
20.	<p>Any activity including the operation of that activity which requires a prospecting right in terms of section 16 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including—</p> <p>(a) <u>associated infrastructure, structures and earthworks, directly related to prospecting of a mineral resource[,] ; or [including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)]</u></p> <p>(b) <u>the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing;</u></p>	

	<p>but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource in which case activity 6 in Listing Notice 2 applies.</p>	
21.	<p>Any activity including the operation of that activity which requires a mining permit in terms of section 27 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002), including —</p> <p>(a) associated infrastructure, structures and earthworks, directly related to the extraction of a mineral resource[.]; or [including activities for which an exemption has been issued in terms of section 106 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002)]</p> <p>(b) the primary processing of a mineral resource including winning, extraction, classifying, concentrating, crushing, screening or washing;</p> <p>but excluding the secondary processing of a mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource in which case activity 6 in Listing Notice 2 applies.</p>	
22.	<p>The decommissioning of any activity requiring –</p> <p>(i) a closure certificate in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002); or</p> <p>(ii) a prospecting right, mining right, mining permit, production right or exploration right, where the throughput of the activity has reduced by 90% or more over a</p>	

	<p>period of 5 years excluding where the competent authority has in writing agreed that such reduction in throughput does not constitute closure;</p> <p>but excluding the decommissioning of an activity relating to the secondary processing of a –</p> <p>(a) mineral resource, including the smelting, beneficiation, reduction, refining, calcining or gasification of the mineral resource; or</p> <p>(b) petroleum resource, including the refining of gas, beneficiation, oil or petroleum products; –</p> <p>in which case activity 31 in this Notice applies.</p>	
<b>23.</b>	The development of cemeteries of 2 500 square metres or more in size.	
<b>24.</b>	<p>The development of a road—</p> <p>(i) <b>[a road]</b> for which an environmental authorisation was obtained for the route determination in terms of activity 5 in Government Notice 387 of 2006 or activity 18 in Government Notice 545 of 2010; or</p> <p>(ii) <b>[a road]</b> with a reserve wider than 13,5 meters, or where no reserve exists where the road is wider than 8 metres;</p> <p>but excluding a road—</p> <p>(a) <b>[roads]</b> which <b>[are]</b> is identified and included in activity 27 in Listing Notice 2 of 2014;</p> <p>(b) <b>[roads]</b> where the entire road falls within an urban area; or</p>	



	(c) which is 1 kilometre or shorter.	
25.	The development and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage with a daily throughput capacity of more than 2 000 cubic metres but less than 15 000 cubic metres.	
26.	<p>Residential, retail, recreational, tourism, commercial or institutional developments of 1 000 square metres or more, on land previously used for mining or heavy industrial purposes; —</p> <p>excluding —</p> <p>(i) where such land has been remediated in terms of part 8 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies; or</p> <p>(ii) where an environmental authorisation has been obtained for the decommissioning of such a mine or industry in terms of this Notice or any previous NEMA notice; or</p> <p>(iii) where a closure certificate has been issued in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) for such land.</p>	
27.	The clearance of an area of 1 hectares or more, but less than 20 hectares of indigenous vegetation, except where such clearance of indigenous vegetation is required for—	

	<p>(i) the undertaking of a linear activity; or</p> <p>(ii) maintenance purposes undertaken in accordance with a maintenance management plan.</p>	
<b>28.</b>	<p>Residential, mixed, retail, commercial, industrial or institutional developments where such land was used for agriculture, <u>game farming</u>, <u>equestrian purposes</u> or afforestation on or after 01 April 1998 and where such development:</p> <p>(i) will occur inside an urban area, where the total land to be developed is bigger than 5 hectares; or</p> <p>(ii) will occur outside an urban area, where the total land to be developed is bigger than 1 hectare;</p> <p>excluding where such land has already been developed for residential, mixed, retail, commercial, industrial or institutional purposes.</p>	
<b>29.</b>	The release of genetically modified organisms into the environment, where assessment for such release is required by the Genetically Modified Organisms Act, 1997 (Act No. 15 of 1997) or the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).	
<b>30.</b>	Any process or activity identified in terms of section 53(1) of the National Environmental Management: Biodiversity Act, 2004 (Act No. 10 of 2004).	
<b>31.</b>	The decommissioning of existing facilities, structures or infrastructure for—	

	<p>(i) any development and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;</p> <p>(ii) any expansion and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;</p> <p>(iii) <b>[any development and related operation activity or activities and expansion and related operation activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 of 2014;]</b> ...</p> <p>(iv) any phased activity or activities for development and related operation activity or expansion or related operation activities listed in this Notice or Listing Notice 3 of 2014; or</p> <p>(v) any activity regardless the time the activity was commenced with, where such activity:</p> <p>(a) is similarly listed to an activity in (i)[.], or (ii)[.], or (iii)] above; and</p> <p>(b) is still in operation or development is still in progress;</p> <p>excluding where—</p> <p>(aa) activity 22 of this notice applies; or</p> <p>(bb) the decommissioning is covered by part 8 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies.</p>
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32.	The continuation of any development where the environmental authorisation has lapsed and where the continuation of the development, after the date the environmental authorisation has lapsed, will meet the threshold of any activity or activities listed in this Notice, Listing Notice 2 of 2014 or Listing Notice 3 <b>[or Listing Notice 4]</b> of 2014.	
33.	The underground gasification of 300 kilograms or more coal per day, including any associated operation.	
34.	<p>The expansion <b>[or changes to]</b> <u>of existing facilities or infrastructure</u> for any process or activity where such expansion <b>[or changes]</b> will result in the need for a permit or licence or an amended permit or licence in terms of national or provincial legislation governing the release of emissions, <u>effluent</u> or pollution, excluding—</p> <ul style="list-style-type: none"> <li>(i) where the facility, <u>infrastructure</u>, process or activity is included in the list of waste management activities published in terms of section 19 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies; <b>[or]</b></li> <li>(ii) the expansion of <b>[or changes to]</b> existing facilities or <u>infrastructure</u> for the treatment of effluent, wastewater, <u>polluted water</u> or sewage where the capacity will be increased by less than 15 000 cubic metres per day; <u>or</u></li> <li>(iii) <u>the expansion is directly related to aquaculture facilities or infrastructure where the wastewater discharge capacity will be increased by 50 cubic meters or less per day.</u></li> </ul>	

<p><b>35.</b></p>	<p>The expansion of residential, retail, recreational, tourism, commercial or institutional developments on land previously used for mining or heavy industrial purposes, where the increased development footprint will exceed 1 000 square meters;</p> <p>excluding—</p> <p>(i) where such land has been remediated in terms of part 8 of the National Environmental Management: Waste Act, 2008 (Act No. 59 of 2008) in which case the National Environmental Management: Waste Act, 2008 applies; or</p> <p>(ii) where an environmental authorisation has been obtained for the decommissioning of such a mine or industry in terms of this Notice or any previous NEMA notice; or</p> <p>(iii) where a closure certificate has been issued in terms of section 43 of the Mineral and Petroleum Resources Development Act, 2002 (Act No. 28 of 2002) for such land.</p>	
<p><b>36.</b></p>	<p>The expansion of facilities or structures for the generation of electricity from a renewable resource where—</p> <p>(i) the electricity output will be increased by 10 megawatts or more, excluding where such expansion takes place on the original development footprint; or</p> <p>(ii) regardless the increased output of the facility, the development footprint will be expanded by 1 hectare or more;</p>	

	excluding where such expansion of facilities or structures is for photovoltaic installations and occurs—  (a) within an urban area; or (b) on existing infrastructure.	
37.	<p>The expansion and related operation of facilities for the generation of electricity from a non-renewable resource where—</p> <p>(i) the electricity output will be increased by 10 megawatts or more, excluding where such expansion takes place on the original development footprint; or</p> <p>(ii) regardless the increased output of the facility, the development footprint will be expanded by 1 hectare or more.</p>	
38.	<p>The expansion and related operation of facilities for the slaughter of animals where the daily product throughput will be increased by more than—</p> <p>(i) 50 poultry;</p> <p>(ii) 6 units of reptiles, red meat and game; or</p> <p>(iii) 20 000 kg wet weight per annum of fish, crustaceans or amphibians.</p>	
39.	<p>The expansion and related operation of facilities for the concentration of animals <b>for the purpose of commercial production</b> in densities that will exceed—</p> <p>(i) 20 square metres per large stock unit, where the expansion will constitute more than 500 additional units;</p>	

	<p>(ii) 8 square meters per small stock unit, where the expansion will constitute more than;</p> <p>(a) 1 000 additional units per facility or more excluding pigs where (b) applies; or</p> <p>(b) 250 additional pigs, excluding piglets that are not yet weaned;</p> <p>(iii) 30 square metres per crocodile <b>[at any level of production]</b> where the expansion will constitute <b>[an increase in the level of production, excluding crocodiles younger than 6 months]</b> <u>an additional 20 crocodiles or more;</u></p> <p>(iv) 3 square metres per rabbit where the expansion will constitute more than 500 additional rabbits; or</p> <p>(v) 250 square metres per ostrich or emu where the expansion will constitute more than 50 additional ostriches or emus.</p>	
40.	<p>The expansion and related operation of facilities for the concentration of poultry, excluding chicks younger than 20 days, where the capacity of the facility will be increased by—</p> <p>(i) more than 1 000 poultry where the facility is situated within an urban area; or</p> <p>(ii) more than 5 000 poultry per facility situated outside an urban area.</p>	
41.	<p>The expansion and related operation of facilities, infrastructure or structures for aquaculture of—</p>	

	<p>(i) finfish, crustaceans, reptiles or amphibians, where the annual production output of such facility, infrastructure or structures will be increased by 20 000 kg (wet weight) or more;</p> <p>(ii) molluscs and echinoderms where the annual production output of such facility, infrastructure or structures will be increased by 30 000 kg (wet weight) or more; or</p> <p>(iii) aquatic plants where the annual production output of such facility, infrastructure or structures will be increased by 60 000 kg (wet weight) or more;</p> <p>excluding where the expansion of facilities, infrastructure or structures is for purposes of sea-based cage culture in which case activity 42 in this Notice will apply.</p>	
<b>42.</b>	The expansion and related operation of facilities, infrastructure or structures for aquaculture of sea-based cage culture of finfish, crustaceans, reptiles, amphibians, molluscs, echinoderms and aquatic plants where the annual production output of such facility, infrastructure or structures will be increased by 50 000 kg (wet weight) or more.	
<b>43.</b>	The expansion and related operation of hatcheries or agri-industrial facilities outside industrial complexes, where the development footprint of the hatcheries or agri-industrial facilities will be increased by 2 000 square metres or more.	
<b>44.</b>	The expansion of cemeteries by 2 500 square metres or more.	



<p><b>45.</b></p>	<p>The expansion of infrastructure for the bulk transportation of water or storm water where the existing infrastructure—</p> <ul style="list-style-type: none"> <li>(i) has an internal diameter of 0,36 metres or more; or</li> <li>(ii) has a peak throughput of 120 litres per second or more; and</li> </ul> <ul style="list-style-type: none"> <li>(a) where the facility or infrastructure is expanded by more than 1 000 metres in length; or</li> <li>(b) where the throughput capacity of the facility or infrastructure will be increased by 10% or more;</li> </ul> <p>excluding where such expansion—</p> <ul style="list-style-type: none"> <li>(aa) relates to transportation of water or storm water within a road reserve or <u>railway line reserve</u>; or</li> <li>(bb) will occur within an urban area.</li> </ul>	
<p><b>46.</b></p>	<p>The expansion and related operation of infrastructure for the bulk transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes where the existing infrastructure—</p> <ul style="list-style-type: none"> <li>(i) has an internal diameter of 0,36 metres or more; or</li> <li>(ii) has a peak throughput of 120 litres per second or more; and</li> </ul> <ul style="list-style-type: none"> <li>(a) where the facility or infrastructure is expanded by more than 1 000 metres in length; or</li> </ul>	

	<p>(b) where the throughput capacity of the facility or infrastructure will be increased by 10% or more;</p> <p>excluding where such expansion—</p> <p>(aa) relates to the <u>bulk</u> transportation of sewage, effluent, process water, waste water, return water, industrial discharge or slimes within a road reserve or <u>railway line reserve</u>; or</p> <p>(bb) will occur within an urban area.</p>	
47.	<p>The expansion of facilities or infrastructure for the transmission and distribution of electricity where the expanded capacity will exceed 275 kilovolts and the development footprint will increase.</p>	
48.	<p>The expansion of—</p> <p>[</p> <p>(i) canals where the canal is expanded by 100 square metres or more in size;</p> <p>(ii) channels where the channel is expanded by 100 square metres or more in size;</p> <p>(iii) bridges where the bridge is expanded by 100 square metres or more in size;</p> <p>(iv) dams, where the dam, including infrastructure and water surface area, is expanded by 100 square metres or more in size;</p>	

(v)	weirs, where the weir, including infrastructure and water surface area, is expanded by 100 square metres or more in size;
(vi)	bulk storm water outlet structures where the bulk storm water outlet structure is expanded by 100 square metres or more in size; or
(vii)	marinas where the marina is expanded by 100 square metres or more in size;]
(i)	<u>infrastructure or structures where the physical footprint is expanded by 100 square metres or more; or</u>
(ii)	<u>dams or weirs, where the dam or weir, including infrastructure and water surface area, is expanded by 100 square metres or more;</u>
	where such expansion <b>[or expansion and related operation]</b> occurs—
(a)	within a watercourse;
(b)	in front of a development setback; or
(c)	if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;
	excluding—
(aa)	the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;

	<p>(bb) where such expansion activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p> <p>(dd) where such expansion occurs within an urban area; or</p> <p>(ee) where such expansion occurs within existing roads, road reserves or <u>railway line reserves</u>.</p>	
49.	<p><b>[The expansion of -</b></p> <p>(i) jetties by more than 100 square metres;</p> <p>(ii) slipways by more than 100 square metres;</p> <p>(iii) buildings by more than 100 square metres;</p> <p>(iv) boardwalks by more than 100 square metres; or</p> <p>(v) infrastructure or structures where the physical footprint is expanded by 100 square metres or more;</p> <p>where such expansion or expansion and related operation occurs-</p> <p>(a) within a watercourse;</p> <p>(b) in front of a development setback; or</p> <p>(c) if no development setback exists, within 32 metres of a watercourse, measured from the edge of a watercourse;</p> <p><b>excluding-</b></p>	

	<p>(aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour;</p> <p>(bb) where such expansion activities are related to the development of a port or harbour, in which case activity 26 in Listing Notice 2 of 2014 applies;</p> <p>(cc) activities listed in activity 14 in Listing Notice 2 of 2014 or activity 14 in Listing Notice 3 of 2014, in which case that activity applies;</p> <p>(dd) where such expansion occurs within an urban area; or</p> <p>(ee) where such expansion occurs within existing roads or road reserves.]</p> <p>...</p>	
50.	The expansion of facilities or infrastructure for the off-stream storage of water, including dams and reservoirs, where the combined capacity will be increased by 50 000 cubic metres or more.	
51.	The expansion <u>and related operation</u> of facilities for the storage, or storage and handling, of a dangerous good, where the capacity of such storage facility will be expanded by more than 80 cubic metres.	
52.	The expansion of structures in the coastal public property where the development footprint will be increased by more than 50 square metres, excluding such expansions within existing ports or harbours where there will be no increase in the development footprint of the port or harbour and excluding activities listed in activity 23 in Listing Notice 3 of 2014, in which case that activity applies.	

53.	The expansion and related operation of facilities for the desalination of water where the design capacity will be expanded to produce an additional 100 cubic metres or more of treated water per day.	
54.	<p>The expansion of facilities—</p> <ul style="list-style-type: none"> <li>(i) in the sea;</li> <li>(ii) in an estuary;</li> <li>(iii) within the littoral active zone;</li> <li>(iv) in front of a development setback; or</li> <li>(v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;</li> </ul> <p>in respect of—</p> <ul style="list-style-type: none"> <li>(a) fixed or floating jetties and slipways;</li> <li>(b) tidal pools;</li> <li>(c) embankments;</li> <li>(d) rock revetments or stabilising structures including stabilising walls; <u>or</u></li> <li>(e) <b>[buildings where the building is expanded by 50 square metres or more; or]</b></li> <li><b>[(f)]</b> infrastructure <u>or structures</u> where the development footprint is expanded by 50 square metres or more,</li> </ul>	

	<p>but excluding—</p> <p>(aa) the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour; or</p> <p>(bb) where such expansion occurs within an urban area.</p>	
<b>55.</b>	<p>Expansion—</p> <p>(i) in the sea;</p> <p>(ii) in an estuary;</p> <p>(iii) within the littoral active zone;</p> <p>(iv) in front of a development setback; or</p> <p>(v) if no development setback exists, within a distance of 100 metres inland of the high-water mark of the sea or an estuary, whichever is the greater;</p> <p>in respect of —</p> <p>(a) facilities associated with the arrival and departure of vessels and the handling of cargo;</p> <p>(b) piers;</p> <p>(c) inter- and sub-tidal structures for entrapment of sand;</p> <p>(d) breakwater structures;</p> <p>(e) coastal marinas;</p> <p>(f) coastal harbours or ports;</p> <p>(g) tunnels; or</p>	

	<p>(h) underwater channels;</p> <p>but excluding the expansion of infrastructure or structures within existing ports or harbours that will not increase the development footprint of the port or harbour.</p>	
56.	<p>The widening of a road by more than 6 metres, or the lengthening of a road by more than 1 kilometre—</p> <p>(i) where the existing reserve is wider than 13,5 meters; or</p> <p>(ii) where no reserve exists, where the existing road is wider than 8 metres;</p> <p>excluding where widening or lengthening occur inside urban areas.</p> <p>The expansion and related operation of facilities or infrastructure for the treatment of effluent, wastewater or sewage where the capacity will be increased by 15 000 cubic metres or more per day and the development footprint will increase by 1 000 square meters or more.</p>	
57.	<p>The increase of the amount of coal gasified underground, where any such increase exceeds 300 kg per day, including any associated operation.[.]</p>	
58.	<p>The expansion and related operation of facilities or infrastructure for the refining, extraction or processing of gas, oil or petroleum products where the installed capacity of the facility will be increased by 50 cubic metres or more per day, excluding facilities for the refining, extraction or processing of gas from landfill sites.</p>	
59.		



60.	<p>The expansion and related operation of facilities or infrastructure for the bulk transportation of dangerous goods—</p> <ul style="list-style-type: none"> <li>(i) in gas form, outside an industrial complex, by an increased throughput capacity of 700 tons or more per day;</li> <li>(ii) in liquid form, outside an industrial complex or zone, by an increased throughput capacity of 50 cubic metres or more per day; or</li> <li>(iii) in solid form, outside an industrial complex or zone, by an increased throughput capacity of 50 tons or more per day.</li> </ul>	
61.	The expansion of airports where the development footprint will be increased.	
62.	<p><b>[The expansion of facilities or infrastructure for marine telecommunication where there will be an increased development footprint.]</b></p> <p>...</p>	
63.	<p>The expansion of facilities or infrastructure for the transfer of water from and to or between any combination of the following—</p> <ul style="list-style-type: none"> <li>(i) water catchments;</li> <li>(ii) water treatment works; or</li> <li>(iii) impoundments;</li> </ul> <p>where the capacity will be increased by 50 000 cubic metres or more per day, but excluding water treatment works where water is treated for drinking purposes.</p>	

64.	<p>The expansion of railway lines, stations or shunting yards where there will be an increased development footprint, excluding—</p> <ul style="list-style-type: none"> <li>(i) railway lines, shunting yards and railway stations in industrial complexes or zones;</li> <li>(ii) underground railway lines in mines; or</li> <li>(iii) additional railway lines within the railway line reserve.</li> </ul>	
65.	<p>The expansion and related operation of <b>[an island,]</b>—</p> <ul style="list-style-type: none"> <li>(i) <u>an anchored platform</u>; or</li> <li>(ii) any other <b>[permanent]</b> structure or <u>infrastructure</u>;</li> </ul> <p>on or along the sea bed, where the expansion will constitute an increased development footprint, excluding expansion of facilities, infrastructure or structures for aquaculture purposes<del>[;]</del>.</p>	
66.	<p>The expansion of a dam where—</p> <ul style="list-style-type: none"> <li>(i) the highest part of the dam wall, as measured from the outside toe of the wall to the highest part of the wall, was originally 5 metres or higher and where the height of the wall is increased by 2,5 metres or more; or</li> <li>(ii) where the high-water mark of the dam will be increased with 10 hectares or more.</li> </ul>	
67.	<p>Phased activities for all activities—</p> <ul style="list-style-type: none"> <li>(i) listed in this Notice, which commenced on or after the effective date of this Notice <b>[;]</b> or <b>[(ii)]</b> similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;</li> </ul>	

	<p><b>[where any phase of the activity may be below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold;]</b></p> <p>excluding the following activities listed in this Notice-</p> <p>17(i)(a-d);  17(ii)(a-d);  17(iii)(a-d);  17(iv)(a-d);  17(v)(a-d);  20;  21;  22;  24(i);  29;  30;  31;  32;  34;  54(i)(a-d);  54(ii)(a-d);  54(iii)(a-d);</p>	
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	<p>54(iv)(a-d);  54(v)(a-d);  55;  61;  <b>[62;]</b>  64; and  65; or</p> <p>(ii) <u>listed as activities 5, 7, 8(ii), 11, 13, 16, 27(i) or 27(ii) in Listing Notice 2 of 2014 or similarly listed in any of the previous NEMA notices, which commenced on or after the effective date of such previous NEMA Notices;</u></p> <p><u>where any phase of the activity was below a threshold but where a combination of the phases, including expansions or extensions, will exceed a specified threshold.</u></p>	
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## DEPARTMENT OF HEALTH

NO. 328

07 APRIL 2017

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TSEBIŠO YA MMUŠO

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## KGORO YA MAPHELO

**HEALTH PROFESSIONS ACT, 1974 (MOLAO 56 WA 1974)****MELAWANA YE MABAPI LE NGWADIŠO YA BAITHUTI BA TŠA GO KWA KA  
DITSEBE**

Tona ya maphelo, go ya ka karolo 61(1) (a) (i) ya *Health Professions Act, 1974* (Molao 56 wa 1974), mme morago ga ditherišano le Khansele ya Diprofešene tša Maphelo ya Afrika Borwa, o dirile melawana mo Šetuleng.



NGAKA AARON MOTSOLEDI  
TONA YA MAPHELO  
LETŠATŠIKGWEDI: 9

## ŠETULE

### Dihlalošo

1. Mo melawaneng ye, " **Molao**" o ra *Health Professions Act, 1974* (Molao 56 wa 1974), mme mmolelwana ofe goba ofe wo o nago le hlalošo Molaong, o tla šomiša hlalošo yeo, ntle le ge tshwaraganyo e hlaloša ka tsela ye nngwe —

**"sehlongwa sa thuto seo se netefaditšwego"** se ra sehlongwa sa thuto seo se netefaditšwego ke boto ya diprofešenale bakeng sa go phethagaletša katišo le thuto ya go kwa ka ditsebe;

**"boto ya profešenale"** e ra Boto ya Profešenale ya Polelo, Leleme le Diprofešene tša Go kwa ka ditsebe tšeo di hlanngwego go ya ka karolo 15 ya Molao; mme

**"moithuti"** o ra motho yo a ithutelago tša go kwa ka ditsebe sehlongweng seo se netefaditšwego, goba motho yo a ngwadišitšwego bjalo ka moithuti wa dithuto tša go kwa ka ditsebe go ya ka Molao;

### Ngwadišo bjalo ka moithuti

2. (1) Moithuti o tla romela go mongwadiši kgopelo ya ngwadišo bjalo ka moithuti mo foromong yeo e phethagaleditšwego mohola wo ke boto ya profešenale go ya ka ditaelo tša molawana (2)—

(a) bakeng sa moithuti yo a ngwadišwago sehlongweng seo se netefaditšwego ngwaga wa gagwe wa mathomo wa go ithuta, mo dikgweding tše nne tša ngwadišo ye; goba

- (b) bakeng sa moithuti yo a kgetholotšwego ngwageng wa mathomo goba wa bobedi wa thuto, mo dikgweding tše nne tša ngwadišo ye mo ngwageng wa bobedi goba wa boraro wa dithuto, ka tatellano; goba
- (c) bakeng sa moithuti yo, ka letšatšikgwedi la kgatišo ya melawana ye, a setšego a thomile ka dithuto tša gagwe sehlongweng sa thuto seo se netefaditšwego, mo dikgweding tše nne go thoma ka letšatšikgwedi la kgatišo ya melawana ye.

(2) Kgopelo ya ngwadišo bjalo ka moithuti e tla sepela le—

- (a) khophi ya moithuti yoo ya tokomane ya boitsebišo goba setifikeiti sa matswalo goba, ge moithuti a palelwa ke go romela ye nngwe le ye nngwe ya ditokomane tše, bohlatse bjo bongwe bja mengwaga ya gagwe le maina a nepagetšego ka moo go ka amogelwago ke mongwadiši, mme le bakeng sa phetolo ya leina ka lebaka la lenyalo, khophi yeo e netefaditšwego ya setifikeiti sa lenyalo
- (b) setifikeiti sa go netefatša gore moithuti yoo o thomile dithuto tša gagwe thutong goba dithutong sehlongweng sa thuto seo se netefaditšwego, mme setifikeiti se tla laetša ngwaga wa thuto le letšatšikgwedi leo moithuti a ngwadišitšwego ka lona; le
- (c) tefelo ya ngwadišo.

(3) Kgopelo ya ngwadišo bjalo ka moithuti ka moithuti wa moeti gotšwa nageng ya ka ntle ga Afrika Borwa yo a amogetšwego sehlongweng sa thuto seo se netefaditšwego bakeng sa meholo ya thuto yeo e sego ya khwetšo ya boithutelo ya nako yeo e sa fetego ngwaga wo tee wa dithuto, e tla sepela le—

- (a) setifikeiti sa go hlatselo gore moithuti yo o thomile dithuto tše;
- (b) bohlatse bja ngwadišo bjalo ka moithuti go tša go kwa ka dtsebe ka bolaodi bjo bo lemogilwego bja ngwadišo nageng goba lefase leo e sego Afrika Borwa; le
- (c) tefelo ya ngwadišo.

(4) Moithuti yo a thomago dithuto tša gagwe morago ga go emiša dithuto tše nako ya botelele bja ngwaga wo tee o tla romela kgopelo ya ngwadišo gape mo dikgweding tše nne tša go thoma dithuto tše.

(5) Kgopelo yeo e hlalošitšwego go molawana (4) e tla sepela le—

- (a) setifikeiti sa go hlatselo gore moithuti yo o thomile dithuto tše;
- (b) setifikeiti sa mathomo sa ngwadišo ya peleng ka mongwadiši; le
- (c) tefelo ya ngwadišo.

(6) Go ya ka ditaelo tša molawana 3(3), leina la moithuti yo a emišitšego dithuto tša gagwe nako ya botelele bja ngwaga wo tee, efela yo a laetšago ka ngwaga le ngwaga ka tsela ye lengwalo maikemišetšo a gagwe a go tšwelapele ka dithuto tša gagwe, a ka se phumolwe retšisetareng.

(7) Moithuti yo a dirago kgopelo go ya ka molawana (4) mme yo a palelwago ke go romela setifikeiti sa mathomo sa ngwadišo, o tla dira kgopelo ya ngwalollo ye e netefaditšwego go mongwadiši, yeo e nago le tefelo yeo e lefišwago.

(8) Kgopelo ya ngwadišo, gammogo le ditokomane tše malebana le ditefelo, tše di rometšwego morago ga nako ye e beilwego ya dikgwedi tše nne, e tla hwetša kotlo ye e beilwego ya ngwadišo ya morago ga nako malebana le kgwedi ye nngwe le ye nngwe goba karolo ya kgwedi yeo e romelwago ka yona morago ga letšatšikgwedi.

(9) Ga go moithuti yo a tilego go ngwadišwa goba go ngwadišwa gape bjalo ka moithuti ka tlase ga Molao ntle le ge a obametše dinyakwa tša molawana wo ka moka.

(10) Mongwadiši o tla romela moithuti yo a ngwadišitšwego setifikeiti sa ngwadišo.



(11) Ge moithuti a fetola sehlongwa goba lenaneo le lengwe ka nako ya dithuto tša gagwe, boto ya profešenale e swanetše go eletšwa mo dikgweding tše nne tša phetošo ye.

### **Tshedimošo yeo e swanetšego go romelwa botong ya profešenale**

3. (1) Sehlongwa sa thuto seo se netefadišwego mo Afrika Borwa, se tla romela botong ya profešenale ka la goba pele ga la 31 Mopitlo wa ngwaga wo mongwe le wo mongwe —

- (a) lenaneo la baithuti ka moka bao ba ngwadišitšwego ngwageng woo; le
- (b) lenaneo la baithuti ka moka bao ba tlogetšego dithuto tša bona mongwageng wo o fetilego.

(2) Mananeo ao a hlalošitšwego go molawana (1) a tla akaretša maina a baithuti ka botlalo, ngwaga wa dithuto le, mo go hlokegago, letšatšikgwedi la tlogelo ya thuto.

(3) Gammogo le mananeo ao a hlalošitšwego go molawana (1), sehlongwa sa thuto seo se netefadišwego se tla romela-

- (a) lenaneo la baithuti bao ba emišitšego dithuto tša bona nakwaneng ya dikgwedi tše di fetilego tše lesomepedi, leo le hlalošago mabaka a kemišo le letšatšikgwedi leo baithuti bao ba amegago ba swanetšego go tšwelapele ka dithuto tša bona; le
- (b) lenaneo la baithuti bao ba thomilego dithuto tša bona mo nakong ya dikgwedi tše di fetilego tše lesomepedi morago ga kemišo ya nakwana ya dithuto tše.

(4) Leina la moithuti le tla tlošwa retšisetareng ka bonako ge a ngwadišwa bjalo ka Mošomi wa tša go kwa ka ditsebe goba ka bonako ge mongwadiši a hwetša bohlatse bja gore moithuti o emišitše dithuto tša gagwe mo Afrika Borwa.

#### **Thaetlele ye kopana**

4. Melawana ye e bitšwa Melawana ye Mabapi le Ngwadišo ya Baithuti ba tša go kwa ka Ditsebe.


## DEPARTMENT OF HEALTH

NO. 329

07 APRIL 2017

**HEALTH PROFESSIONS ACT, 1974 (ACT NO. 56 OF 1974)****REGULATIONS RELATING TO THE REGISTRATION OF AUDIOLOGY STUDENTS**

The Minister of Health has, in terms of section 61 (1) (a) (i) of the Health Professions Act, 1974 (Act No. 56 of 1974), and after consultation with the Health Professions Council of South Africa, made the regulations in the Schedule.



**DR AARON MOTSOALEDI**  
**MINISTER OF HEALTH**  
DATE: 15/7/2017

## SCHEDULE

### Definitions

1. In these regulations "**Act**" means the Health Professions Act, 1974 (Act No. 56 of 1974), and any expression to which a meaning has been assigned in the Act, shall bear that meaning, unless inconsistent with the context —

**"accredited educational institution"** means an educational institution accredited by the professional board to offer training and education in audiology;

**"professional board"** means the Professional Board for Speech, Language and Hearing Professions established in terms of section 15 of the Act; and

**"student"** means a person studying audiology at an accredited educational institution, or a person registered as a student in audiology in terms of the Act;

### Registration as a student

2. (1) A student shall submit to the registrar an application for registration as a student on a form provided for this purpose by the professional board in accordance with the provisions of subregulation (2)—

- (a) in the case of a student enrolling at an accredited educational institution in his or her first year of study, within four months of such enrolment; or
- (b) in the case of a student who has been exempted from the first or second year of study, within four months of such enrolment in the second or third year of study, respectively; or

- (c) in the case of a student who on the date of publication of these regulations has already commenced studies at an accredited educational institution, within four months from the date of publication of these regulations.

(2) An application for registration as a student shall be accompanied by—

- (a) such student's certified copy of identity document or birth certificate or, if the student is unable to furnish either of these documents, such other proof of his or her age and correct names as may be acceptable to the registrar, and in case change of name as a result of marriage, certified copy of the marriage certificate;
- (b) a certificate to prove that such student has commenced studies in a subject or subjects at an accredited educational institution, which certificate shall specify the year of study and the date on which the student enrolled; and
- (c) the registration fee.

(3) An application for registration as a student by a visiting student from a country other than South Africa who has been admitted to an accredited educational institution for non-degree purposes for a period not exceeding one academic year, shall be accompanied by—

- (a) a certificate to prove that such student has commenced such studies;
- (b) proof of registration as a student in audiology by a recognised registering authority in a country or state other than South Africa; and
- (c) the registration fee.

(4) A student who resumes his or her studies after having interrupted such studies for at least one year shall submit an application for re-registration within four months of resuming such studies.

(5) An application referred to in subregulation (4) shall be accompanied by—

- (a) a certificate to prove that such student has resumed such studies;
- (b) the original certificate of previous registration issued by the registrar; and
- (c) the registration fee.

(6) Subject to the provisions of regulation 3(3), the name of a student who interrupted his other studies for more than one year, but who indicates annually in writing his or her intention to continue with his or her studies, shall not be removed from the register.

(7) A student who applies for registration in terms of subregulation(4) and who is unable to submit the original registration certificate, shall apply for a certified extract from the register, for which the fee shall be payable.

(8) An application for registration, together with the applicable documents and fees, submitted after the prescribed period of four months, shall be subject to the prescribed penalty fee for late registration in respect of each month or portion of a month for which it is submitted after the due date.

(9) No student shall be registered or re-registered as a student under the Act unless he or she has complied in all respects with the requirements of this regulation.

(10) The registrar shall furnish a registered student with a registration certificate.

(11) Should a student change from one educational institution or programme to another during the course of his or her studies, the professional board shall be advised within four months of such change.



**Information to be submitted to the professional board**

3. (1) An accredited educational institution in South Africa, shall submit to the professional board on or before 31 May of each year —

- (a) a list of all students enrolled for that year; and
- (b) a list of all students who have discontinued their studies during the preceding year.

(2) The lists referred to in subregulation (1) shall include students' full names, the year of study and, where applicable, the date of discontinuation of study.

(3) Together with the lists referred to in subregulation (1), an accredited educational institution shall submit—

- (a) a list of students who discontinued their studies temporarily during the preceding twelve months, specifying the reasons for such discontinuation and the date on which the students concerned are expected to resume their studies; and
- (b) a list of students who resumed their studies during the preceding twelve months after temporarily discontinuing such studies.

(4) The name of a student shall be removed from the register as soon as he or she has been registered as an Audiologist or as soon as the registrar receives proof that such student has discontinued his or her studies in South Africa.

**Short title**

4. These Regulations shall be called Regulations Relating to the Registration of Audiology Students, 2017.

## DEPARTMENT OF HEALTH

NO. 330

07 APRIL 2017

## TSEBIŠO YA MMUŠO

## KGORO YA MAPHELO

**HEALTH PROFESSIONS ACT, 1974 (MOLAO 56 WA 1974)****MELAWANA MABAPI LE BOITHUTelo BJA NGWADIŠO YA BATHUŠI BA TŠA MENO:  
DIPHETOŠO**

Tona ya Maphelo, ka tlase ga karolo 24 ya *Health Professions Act, 1974* (Molao 56 wa 1974) mme le ka keletšo ya Khansale ya Profešene ya Maphelo ya Afrika Borwa, o dirile melawana Šetuleng.

  
\_\_\_\_\_  
NGAKA AARON MOTSOALEDI

TONA YA MAPHELO

LETSATŠIKGWEDI: 25/4/2017



**ŠETULE****Dihlalošo**

1. Mo Melawaneng ye, "**Melawana**" e ra Melawana ye mabapi le boithutelo bja ngwadišo ya bathuši ba tša meno ka ge go gatišitšwe Tsebišong ya Mmušo ya R338 *Kuranteng ya Mmušo* ya 27464 ya la 15 Moranang 2005 bjalo ka ge e fetošitšwe ka Ditsebišo tša Mmušo R580 gare ga Kuranta ya Mmušo ya 31084 ya la 30 Mopitlo 2008, gape R120 *Kuranteng ya Mmušo* ya 35045 ya la 14 Dibokwane 2012.

**Phetošo ya Molawana 2 wa Melawana**

2. Molawana 2 wa Melawana o a fetošwa ka go tlošwa go lokelwe go molawana (2) wa molawana wo o latelago:

"(2) Go sa setšwe selo seo se lego kgahlanong Melawaneng ye, motho ofe goba ofe yo a dirilego bjalo ka mothuši wa tša meno pele ga letšatšikgwedi la kgatišo ya phetošo ye, a ka dira kgopelo botong, mo dikgweding tše tshela morago ga letšatšikgwedi la kgatišo ya phetošo ye, ya ngwadišo bjalo ka mothuši wa tša meno, mme boto e ka lokolla motho yo dinyakweng tša molawana (1): Ge fela e le gore motho yo o tla atlega dihlahlobong tša boto mo mengwageng ye mebedi morago ga ngwadišo bjalo ka mothuši wa tša meno, mme ge go pala, motho yo o tla phumolwa retšisetareng ya bathuši ba tša meno."

**Thaetlele ye kopana**

3. Melawana ye e bitšwa Melawana Mabapi le Boithutelo bja Ngwadišo ya Bathuši ba tša Meno: Diphetošo.

## DEPARTMENT OF HEALTH

NO. 331

07 APRIL 2017

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ISAZISO SIKAHULUMENI


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## UMNYANGO WEZEMPILO

**HEALTH PROFESSIONS ACT, 1974 (ACT NO.56 OF 1974)**

**IMITHETHO ZIMISO EMAYELANA NOKUBHALISWA KWABAFUTHI  
BOBUCHWEPHESHE BENDLEBE**

UNgqongqoshe wezeMpilo, ngokwemigomo yesigaba sama-61(1) (a) (i) se-*Health Professions Act, 1974 (Act No. 56 of 1974)*, kanye nangemuva kokuxoxisana noMkhandlu wobuChwepheshe bezeMpilo eNingizimu Afrika, wenze imithethozimiso kule Sheduli.



**DKT. AARON MOTSOLEDI  
UNGQONGQOSHE WEZEMPILO  
USUKU: 28/9/2017**

## ISHEDULI

### Izincazelo

1. Kule mithethozimiso **“uMthetho”** usho i-*Health Professions Act, 1974 (Act No. 56 of 1974)*, nanoma isiphi isisho lapho incazelo ifakwe eMthethweni, kumele ithathe leyo ncazelo, ngaphandle uma ingahambisani naleyo ndawo —

**“isikhungo sokufunda esigunyaziwe”** kusho isikhungo sokufunda esigunyazwe ibhodi longcweti ukuthi sihlizwe ngemfundo kanye noqeqesho lobungcweti bendlebe;

**“ibhodi longcweti”** kusho iBhodi loNgcweti bezokuKhuluma, uLimi kanye nobungcweti boKuzwa elasungulwa ngokwemigomo yesigaba se-15 soMthetho, kanye

**“umfundi”** kusho umuntu ofunda ngezobuchwepheshe bezindlebe esikhungweni sokufunda esigunyaziwe, noma umuntu obhalise njengomfundi wezobuchwepheshe bendlebe ngokwemigomo yoMthetho.

### Ukubhalisa njengomfundi

2. (1) Umfundi kumele ahambise isicelo kumbhalisi ukuze abhaliswe njengomfundi efomini elihlinzekelwa yona le nhloso yibhodi longcweti ukuhambisana nezihlinzeko zomthethosimiso wesi-(2)—

(a) odabeni lokubhalisa esikhungweni esigunyaziwe onyakeni wakhe wokuqala, ezinyangeni ezine zokubhaliswa okunjalo; noma

(b) odabeni lomfundi oxolelwe ukuthi abhalisele unyaka wakhe wokuqala noma wesibili wokufunda, ezinyangeni ezine zokubhaliswa okunjalo onyakeni wesibili noma wesithathu wokufunda, ngokulandelana; noma

- (c) odabeni lomfundi okuthi ngosuku lokushicilela le mithetho-zimiso usevele useqalile ukwenza izifundo zakhe esikhungweni semfundo esigunyaziwe, ezinyangeni ezine kusukela ngosuku lokushicilelwa kwale mithetho-zimiso.

(2) Isicelo sokubhaliswa njengomfundi kumele sihambe ne—

- (a) nekhophi yomazisi efungelwe yaloyo mfundi noma isitifiketo sokuzalwa, noma uma umfundi engakwazi ukukhipha konke lokhu okushiwo, obunye ubufakazi beminyaka yakhe kanye namagama akhe afanele engemukelwa umbhalisi, kanye nasodabeni lapho kushintshwa igama ngenxa yomshado, ikhophi efungelwe yesitifiketi somshado;
- (b) isitifiketi ukufakaza ukuthi umfundi onjalo uqale izifundo zakhe esifundweni noma ezifundweni esikhungweni semfundo esigunyaziwe, lapho isitifiketi kumele siveze unyaka wokufunda kanye nosuku ukuthi umfundi wabhalisa nini; kanye
- (c) nemali yokubhalisa.

(3) Isicelo zokubhalisa njengomfundi komfundi ovakashile osuka kwelinye izwe ngaphandle kweNingizimu Afrika othathiwe esikhungweni semfundo esigunyaziwe ngezizathu okungezona ukuthola iziqu ngesikhathi esingevile onyakeni owodwa, kumele sihambe ne—

- (a) isitifiketi esifakazayo ukuthi umfundi uqale izifundo ezinjalo;
- (b) ubufakazi bokubhalisa njengo mfundi wobungcweti bendlebe yisiphathimandla esibhalisayo esaziwayo ezweni noma umbuso ngaphandle kweNingizimu Afrika; kanye
- (c) nemali yokubhalisa

(4) Umfundi oqala izifundo zakhe emuva kokuthi ephazamise izifundo ezinjalo okungenani unyaka owodwa kumele ehambise isicelo sakhe sokuphinda abhalise ezinyangeni ezine eqale izifundo ezinjalo.

(5) Isicelo okukhulunywe ngaso kumthetho-simiso wesi-(4) kumele sihambisane ne—

- (a) isitifiketi sokuqinisekisa ukuthi umfundi onjalo useqalile ukufunda izifundo ezinjalo;
- (b) isitifiketi ngqo sokubhalisa okwedlule esikhishwa umbhalisi; kanye
- (c) nemali yokubhalisa

(6) Maqondana nezihlinzeko zomthetho-zimiso wesi-(3)(3), igama lomfundi owaphazamiseka kwezinye izifundo zakhe ngesikhathi esingaphezu konyaka, kodwa okuvezayo njalo Ngonyaka ukuthi inhloso yakhe ukuqhubeka nezifundo zakhe, akumele asuswe ohlwini.

(7) Umfundi ofake isicelo sokubhalisa ngokwemigomo yomthetho-simiso wesi-(4) futhi ongakwazi ukuhambisa isitifiketi ngqo sokubhalisa, kumele afake isicelo somfanekiso wesitifiketi, lapho kumele kukhokhwe imali yakhona.

(8) Isicelo sokubhalisa, sihambisana nemaphepha kanye nezimali okufanele, okuhanjiswa emuva kwesikhathi esinqunyiwe sezinyanga ezine, kumele sikhokhe imali yenhlawulo yokubhalisa sekudlule isikhathi ngokuhambisana nenyanga noma Ingxenye yenyanga esihanjiswe ngayo emuva kosuku lokuhanjiswa kwezicelo.

(9) Akekho umfundi okumele abhaliswe noma aphinde abhaliswe njengomfundi ngaphansi koMthetho ngaphandle uma ehambisene nazo zonke izimfuneko zalo mthetho-zimiso.

(10) Umbhalisi kumele anike umfundi obhalisile isitifiketi sakhe sokubhalisa.

(11) Uma umfundi eshintshe isikhungo sokufunda noma uhlelo ukuya kokunye ngesikhathi sokwenza izifundo zakhe, ibhodi longcweti kumele laziswe ezinyangeni ezine zokwenziwa koshintsho olunjalo.

### **Ulwazi okumele luhanjiswe ebhodini longcweti**

3. (1) Isikhungo semfundo esigunyaziwe eNingizimu Afrika, kumele sihambise ebhodini longcweti zingama-31 kuNhlabathi njalo ngonyaka noma ngaphambi kwalolo suku—

- (a) uhlu lwabafundi ababhalisile kulowo nyaka; kanye
- (b) nohlu lwabo bonke abafundi abaziyekele izifundo zabo ngokuqhubeka konyaka.

(2) Uhlu okukhulunywe ngalo kumthethi-simiso woku-(1) kumele lube namagama aphelele abafundi, unyaka wesingaki, uma kunesidingo, usuku lokuyeka ukufunda.

(3) Ndawonye nohlu okukhulunywe ngalo kumthetho-simiso woku-(1), isikhungo semfundo esigunyaziwe kumele sihambise—

- (a) uhlu lwabafundi abayeke izifundo zabo ngokuqhubeka kwezinyanga eziyishumi nambili, kuvezwe izizathu zokuyeka kanye nosuku abafundi abanjalo abalindeleke ukuthi baqale futhi ngalo izifundo zabo; kanye
- (b) uhlu lwabafundi abaziqalilise futhi izifundo zabongokuqhubeka kwezinyanga eziyishumi nambili emuva kokuziyeka isikhashana izifundo zabo.



(4) Igama lomfundi okumele asuswe ohlwini lwabafundi ababhalisile ngokushesha emuva kokuthi esenguncweti wezendlebe obhalisile noma ngokushesha emuva kokuthi umbhalisi ethola ubufakazi bokuthi umfundi onjalo useziyekile izifundo zakhe eNingizimu Afrika.

#### **Isihloko Esincane**

4. Le mithetho-zimiso kumele ibizwe Imithetho Zimiso Emayelana Nokubhaliswa Kwabafuthi Bobuchwepheshe Bendlebe.

## DEPARTMENT OF HEALTH

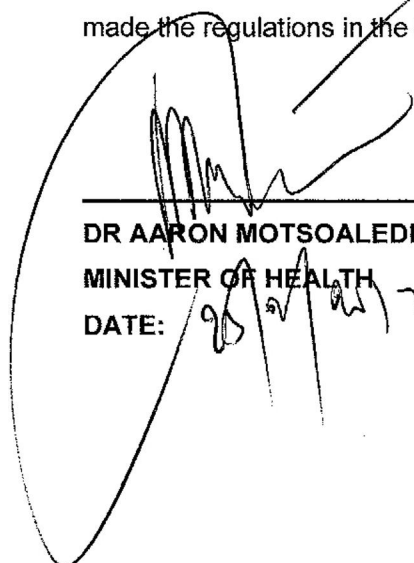
NO. 332

07 APRIL 2017

## HEALTH PROFESSIONS ACT, 1974 (ACT NO.56 OF 1974)

REGULATIONS RELATING TO THE QUALIFICATIONS FOR REGISTRATION OF  
DENTAL ASSISTANTS: AMENDMENT

The Minister of Health has, under section 24 of the Health Professions Act, 1974 (Act No. 56 of 1974) and on the recommendation of the Health Professions Council of South Africa, made the regulations in the Schedule.

  
\_\_\_\_\_  
DR AARON MOTSOLEDI

MINISTER OF HEALTH

DATE: 9/5/2017



## SCHEDULE

### Definitions

1. In these Regulations, “**the Regulations**” means the Regulations relating to the qualifications for registration of dental assistants as published under Government Notice R338 in *Government Gazette* 27464 of 15 April 2005 as amended by Government Notices R580 in *Government Gazette* No 31084 of 30 May 2008, and R120 in *Government Gazette* No. 35045 of 14 February 2012.

### Amendment of regulation 2 of the Regulations

2. Regulation 2 of the Regulations is hereby amended by the substitution for sub-regulation (2) of the following sub-regulation:

“(2) Notwithstanding anything contrary contained in these Regulations, any person who worked as a dental assistant prior to the date of publication of this amendment, may apply to the board, within six months after the date of publication of this amendment, for registration as a dental assistant, and the board may exempt such person from the requirements of sub-regulation (1): Provided that such a person shall pass the board examination within two years after registration as a dental assistant, failing which, such a person shall be removed from the register of dental assistants.”

### Short Title

3. These regulations shall be called Regulations Relating to the Qualifications for Registration of Dental Assistants: Amendment, 2017.

## DEPARTMENT OF HEALTH

NO. 333

07 APRIL 2017

## ISIMEMEZELO SIKAHULUMENI

## UMNYANGO WEZEMPILO

## I-HEALTH PROFESSIONS ACT, 1974 (UMTHETHO WAMA-56 WE-1974)

IMITHETHOZIMISO EMAYELANA NEZIKU ZOKUBHALISWA KWABALEKELELI  
BODOKOTELA BAMAZINYO: ISICHIBIYELO

UNgqongqoshe wezeMpilo, ngaphansi kwesigaba sama-24 se-*Health Professions Act, 1974* (uMthetho wama-56 we-1974) kanye nangaphansi kwezincwadi zoMkhandlu weziNgcweti zezeMpilo eNingizimu Afrika, wenze imithethozimiso kuSheduli.

  
UDKT AARON MOTSOLEDI

UNGQONGQOSHE WEZEMPILO

USUKU: 28/4/2017

## ISHEDULI

### Izincazelo

1. KuleMithethozimiso, “**Imithethozimiso**” kusho iMithethozimiso emayelana neziqu zokubhaliswa kwabasizi bodokotela bamazinyo njengokuba kushicilelwe ngaphansi kwesiMemezelo sikaHulumeni R338 *kusoMqulu kaHulumeni* wezi-27464 wamhla ziye-15 kuMbasa wezi-2005 njengokuba ichibiyelwa iziMemezelo zikaHulumeni R580 *kusoMqulu kaHulumeni* wezi-31084 wamhla zingama-30 kuNhlaba wezi-2008, kanye R120 kuSomqulu kaHulumeni wezi-35045 wamhla ziye-14 kuNhlolanya wezi-2012.

### Ukuchibiyelwa komthethosimiso wesi-2 weMithethozimiso

2. UMthethosimiso wesi-2 weMithethozimiso uchibiyelwe lana ngokufaka endaweni yomthethosimisonyana wesi-(2) kumthethosimisonyana olandelayo:

“(2) Nakuba kunanoma yini ephikisayo equkethwe kuleMithethozimiso, noma imuphi umuntu osebenze njengomsizi kadokotela wamazinyo ngaphambi kosuku lokushicilelwa kwalesi sichibiyelo, engafaka isicelo ebhodini, sokubhaliswa njengomsizi kadokotela wamazinyo, ezinyangeni eziyisithupha emuva kosuku lokushicilelwa kwalesi sichibiyelo, bese ibhodi lingamvumela umuntu onjalo ezimfunekweni zomthethosimisonyana woku-(1): Kuncike ekutheni umuntu onjalo aphumelele ekuhlolweni yibhodi eminyakeni emibili emuva kokubhalisa njengomsizi kadokotela wamazinyo, uma engaphumeleli, umuntu onjalo kumele asuswe kurejista yabasizi bodokotela bamazinyo”

### Isihloko Esincane

3. Le mithetho-zimiso kumele ibizwe Imithethozimiso Emayelana Neziqu Zokubhaliswa Kwabalekeleli Bodokotela Bamazinyo: Isichibiyelo, 2017.

## DEPARTMENT OF HEALTH

NO. 334

07 APRIL 2017

**FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT 54 OF 1972)****REGULATIONS GOVERNING THE MAXIMUM LIMITS FOR PESTICIDE RESIDUES THAT MAY BE PRESENT IN FOODSTUFFS: DRAFT AMENDMENT**

I, Dr A Motsoaledi, the Minister of Health intends, in terms of section 15 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), to make the Regulations in the Schedule.

Interested persons are invited to submit, within three months of the publication of this Notice, any comments or representations on the proposed amendment to the Regulations to the Director-General: Department of Health, Private Bag X 828, Pretoria, 0001 (for the attention of the Director: Food Control) or by e-mail to [Aluwani.Madzivhandila@health.gov.za](mailto:Aluwani.Madzivhandila@health.gov.za).

**SCHEDULE**

1. In these regulations, the Regulations, means the regulations published under Government Notice No. R. 246 of 11 February 1994, as corrected by Government Notice No. R. 1148 of 26 August 1994 and amended by the Government Notices No. R. 494 of 8 June 2001, No. R. 525 of 3 May 2002, No. R. 247 of 24 March 2005, No. R. 1047 of 20 October 2006, No. R. 548 of 17 June 2010 and No. R. 46 of 19 January 2012.

**Amendment of Schedule to the Regulations**

2. Regulation 1 of the Regulations is hereby amended by—
  - (a) the insertion of the following definitions—

**"berries group"** means blueberries, blackberries, cranberries, dewberries (including boysenberry and loganberry), gooseberries, raspberries, blackcurrants and currants, unless otherwise stated;

**"brassica vegetables or cruciferae"** means Brussels sprouts, broccoli, cabbage (including all varieties), kale, kohlrabi, cauliflower, pakchoi and collards, unless otherwise stated;

**"citrus group"** means lemons, limes, grapefruits or pomelos, oranges, mandarins (including clementines, satsumas, naartjies and tangerines) and tangelos, unless otherwise stated;

**"cucurbits group"** means melons, musk melons, butternuts, cantaloupes, watermelon, pumpkins, squashes (including summer and winter squash), patty pans, gourds, zucchini, cucumbers and gherkins, unless otherwise stated;

**"leafy vegetables"** means Chinese spinach, endive, celery, fennel, parsley, rhubarb, Swiss chard, mustard and rape, unless otherwise stated;

**"leguminous beans group"** means beans, broad beans, cow peas, chick peas, garden peas, pigeon peas, and peas (peas or beans means shelled, with pods, whole, unshelled, without pods or dry), unless otherwise stated;

**"onion bulb group"** means all varieties of bulb onions, spring onions, shallots, chives, garlic and leeks, unless otherwise stated;

**"pepper group"** means peppers, paprika, chillies, okra, pepino and egg plants, unless otherwise stated;

**"root and tuber vegetables group"** means artichoke, parsnips, sugar beet, garden beet, beetroot, yams, turnips, sweet potatoes, cassava, garden radish, radishes, horseradish and chicory, unless otherwise stated;



**"stone fruits"** means apricots, cherries (sweet and sour), nectarines, peaches, plums and prunes, unless otherwise stated;

**"tree nuts"** means almonds, cashews, chestnuts, hazelnuts, macadamia nuts, pecans, pistachio nuts, walnuts, coconuts, Brazil nuts and pine nuts, unless otherwise stated;

(b) the deletion of the following definitions—

**"beans"** means, in the case of green beans, the bean plus the pod and, in the case of dry beans, the bean without the pod;

**"citrus fruits"** means lemons, limes, grapefruit, oranges, mandarins (including lementines and tangerines) and tangelos, unless otherwise stated;

**"cruciferae"** means cabbage, cauliflower, broccoli and Brussels sprouts;

**"cucurbits"** means melons, squashes, cucumbers and pumpkins;

**"peas"** means peas without the shell;

**"peas(whole)"** means the unshelled peas; and

**"stone fruits"** means apricots, cherries, nectarines, peaches, plums and prunes, unless otherwise stated.

3. The Annex to the Regulations is hereby amended by—

(a) the insertion of the following particulars—

I Chemical Substance	II Foodstuff	III MRL (mg/kg)
Abamectin	Brassica vegetables or cruciferae	0.01
	Soya beans	0.02
	Stone fruits	0.01
	Sugar cane	0.01
Acephate	Avocados	0.01

I Chemical Substance	II Foodstuff	III MRL (mg/kg)
	Citrus group	0.2
Acetamiprid	Potatoes	0.02
	Rooibos	0.01
	Soya beans	0.15
	Stone fruits	0.2
	Sugar cane	0.05
Alpha-Cypermethrin (sum of isomers)	Rooibos	0.05
Amicarbazone	Sugar cane	0.01
Aminopyralid	Barley	0.01
	Maize	0.02
	Wheat	0.01
Atrazine	Canola	0.02
Azoxystrobin	Barley	1.5
	Brassica vegetables or cruciferae	5.0
	Canola	0.1
	Celery	5.0
	Cucurbits group	1.0
	Leguminous beans group	3.0
	Mange tout	0.5
	Olives	0.05
	Onion bulb group	10.0
	Root and tuber vegetables group	0.03
	Sorghum	3.0
	Soya beans	0.05
	Stone fruits	2.0
	Strawberries	5.0
	Sugar cane	0.5
	Sunflower	0.01
	Tree nuts	0.01
	Wheat	0.2
Beta cyfluthrin	Rooibos	0.05
Bifenthrin	Soya beans	0.5
Bixafen	Maize	0.01
Boscalid (boscalid)	Berries group	0.5
	Onion bulb group	0.2
	Pepper group	2.0

I Chemical Substance	II Foodstuff	III MRL (mg/kg)
	Persimmons	0.04
	Strawberries	5.0
	Sunflower	1.0
	Tomatoes	3.0
	Tree nuts	1.0
<b>Chlorantraniliprole</b>	Brassica vegetables or cruciferae	2.0
	Citrus group	0.5
	Cotton	1.0**
	Cucurbits group	0.3
	Ginger	0.02
	Hops	40.0
	Leguminous beans group	0.01
	Lettuce	5.0
	Pepper group	0.5
	Pomegranates	0.4
	Potatoes	0.05
	Root and tuber vegetables group	0.02
	Sorghum	0.3
	Stone fruits	1.0
	Sugar cane	0.2
	Sweet corn	1.0**
	Tomatoes	0.5
	Tree nuts	0.1
<b>Chlorothalonil</b>	Carrots	1.0
	Celery	10.0
	Leguminous beans group	3.0
	Onion bulb group	0.5
	Pepper group	1.0
<b>Chlorpyrifos</b>	Canola	0.3
<b>Clethodim</b>	Apples, citrus group, grapes, pears and stone fruits	0.01
	Canola	0.1
<b>Clomazone</b>	Sugar cane	0.01
<b>Clothianidin</b>	Bananas	0.02
	Sugar cane	0.02
<b>Cyflufenamid</b>	Cucurbits group	0.1
<b>Cymoxanil</b>	Leguminous beans group	0.05



I Chemical Substance	II Foodstuff	III MRL (mg/kg)
Cypermethrin (sum of isomers)	Canola	0.5
Cyproconazole	Canola	0.1
	Sorghum	0.2
	Sugar cane	0.01
Cyprodinil	Avocados	0.05
	Basil, borage, chamomile, chive, coriander, parsley and rosemary	0.5
	Berries group	3.0
	Brassica vegetables or cruciferae	0.05
	Carrots, onion bulb group, root and tuber vegetables group	0.05
	Cucurbits group	0.5
	Kiwi	2.0
	Leguminous beans group	0.05
	Lettuce and spinach	0.5
	Litchis	0.5
	Mangoes	0.5
	Papayas	2.0
	Stone fruits	0.5
	Strawberries	3.0
	Tree nuts	1.0
Cyromazine (sum of cyromazine and melamine)	Amaranthussp, cress, lettuce, leafy vegetables and spinach	0.5
	Brassica vegetables or cruciferae and turnips	1.0
	Cucurbits group	1.0
	Leguminous beans group	0.5
	Onion bulb group	1.0
	Pepper group	0.5
	Potatoes	1.0
Difenoconazole	Brassica vegetables or cruciferae	0.5
	Cucurbits group	0.1
	Ginger and root and tuber vegetables group	0.01
	Olives and onion bulb group	0.05
	Pepper group	0.5

I Chemical Substance	II Foodstuff	III MRL (mg/kg)
	Sorghum	0.05
	Stone fruits	2.0
	Strawberries	0.1
	Tree nuts	0.01
Dimethomorph	Onion bulb group	0.3
Dimethyl didecyl ammonium chloride	Avocados	5.0
	Citrus group	6.0
Dithianon	Grapes	3.0
Enamectin benzoate	Brassica vegetables or cruciferae	0.01
	Canola	0.05
	Celery, lettuce and spinach	0.01
	Pepper group	0.01
	Strawberries	0.04
	Sweet corn	0.1
	Tree nuts	0.01
Epoxiconazole	Wheat	0.05
Esfenvalerate (sum of isomers)	Rooibos	0.01
Etoxazole (etoxazole)	Citrus group	0.2
Fenazaquin*	Grapes	0.2
Fenpyroximate	Citrus group	0.2
Fluazinam	Potatoes	0.01
Flubendiamide	Basil, coriander and parsley	15.0
	Brassica vegetables or cruciferae excluding cabbage	3.0
	Chinese cabbage and mustard	10.0
	Cucurbits group	0.2
	Endive, lettuce and spinach	10.0
	Leafy vegetables (except parsley and endive)	5.0
	Pepper group	2.0
Flucarbazone-sodium	Wheat	0.01
Fludioxonil	Apples and pears	5.0
	Avocados	0.05
	Basil, borage, chamomile, chive, coriander, parsley and rosemary	0.5
	Berries group	3.0

I Chemical Substance	II Foodstuff	III MRL (mg/kg)
	Brassica vegetables or cruciferae	0.05
	Carrots and root and tuber vegetables group (except sweet potatoes)	0.05
	Citrus group	10.0
	Cucurbits group	0.5
	Kiwi	15.0
	Leguminous beans group	0.05
	Lettuce and tomatoes	0.05
	Litchis	0.05
	Mangoes	0.5
	Onion bulb group	0.5
	Papayas	0.05
	Pomegranate	3.0
	Spinach	0.5
	Stone fruits	5.0
	Strawberries	3.0
	Sweet potatoes	10.0
	Tree nuts	0.5
Fluopicolide	Tomatoes	0.5
Fluopyram	Apples	0.6
	Berries group	5.0
	Carrots	0.3
	Grapes	2.0
	Lettuce	5.0
	Onion bulb group	0.7
	Pears	0.5
	Strawberries	1.0
Fluquinconazole	Canola	0.01
Fluroxypyr	Barley	0.1
	Maize	0.05
	Wheat	0.1
Fluxapyroxad	Apples and pears	0.05
	Barley and wheat	0.01
	Citrus	0.3
Fosetyl-Al (phosphorous acid)	Citrus	50.0

I Chemical Substance	II Foodstuff	III MRL (mg/kg)
Furfural	Apples	0.1
	Hops	0.1
Glufosinate ammonium	Potatoes	0.05
Glyphosate (including its metabolite aminomethly phosphoric acid)	Soya beans	10.0
Imidacloprid	Barley	0.2
	Oats	0.02
	Persimmons and pomegranates	0.01
	Sugar cane	0.03
Indoxacarb	Berries group	0.1
	Cotton	1.0**
	Hops	5.0
	Lettuce	2.0
	Pepper group	0.1
	Sorghum	0.01**
	Stone fruits	0.2
	Soya beans	0.2
	Sugar cane	0.1
Lambda-Cyhalothrin	Canola	0.5
	Cucurbits group	0.05
	Ginger and root and tuber vegetables	0.02
	Lettuce	0.05
	Pepper group	0.5
	Rooibos	0.05
	Stone fruits	0.5
	Sugarcane	0.05
	Tree nuts	0.1
Lufenuron	Potatoes	0.05
Mandipropamid*	Grapes	1.0
	Tomatoes	0.5
Metalaxyl-M (mefanoxam)	Artichoke	0.1
	Basil, bay, camomile, chive, coriander, curry leaf, dill, lavender, lemongrass, marigold, parsely (dried), rosemary, thyme and	0.05

I Chemical Substance	II Foodstuff	III MRL (mg/kg)
	wintergrass	
	Berries group	1.5
	Carrots	0.05
	Cucurbits group	1.0
	Hops	0.05
	Kiwi	0.1
	Leguminous beans group	0.05
	Lettuce	1.0
	Onion bulb group	0.05
	Pepper group	1.0
	Spinach	1.0
	Stone fruits	1.0
	Sugar beets	2.0
	Tree nuts	0.5
<b>Metamitron*</b>	Apples	0.01
	Pears	0.01
<b>Methamidophos</b>	Avocados	0.1
<b>Methomyl</b>	Hops	10.0
	Peas	0.2
<b>Novaluron</b>	Apples and pears	0.5
	Citrus group	0.5
	Leguminous beans group	0.2
	Potatoes	0.1
	Sorghum	0.2
	Soya beans	1.0
	Stone fruits	0.5
<b>Oxamyl</b>	Stone fruits	0.01
<b>Penconazole</b>	Brussels sprouts	0.02
<b>Phosphorous acid</b>	Mangoes	50.0
<b>Picoxystrobin</b>	Potatoes	0.01
	Soya beans	0.05
	Wheat	0.2
<b>Pinoxaden</b>	Barley	0.5
	Wheat	0.5
<b>Pirimicarb (sum of pirimicarb, demethylpirimicarb and</b>	Artichokes	5.0
	Asparagus	1.0
	Berries group	1.0

<b>I</b>	<b>II</b>	<b>III</b>
<b>Chemical Substance</b>	<b>Foodstuff</b>	<b>MRL (mg/kg)</b>
<b>demethyl-formamido-pirimicarb)</b>	Canola	1.0
	Cucurbits group	1.0
	Leafy vegetables	2.0
	Leguminous beans group	1.0
	Lettuce	5.0
	Okra	1.0
	Onion bulb group	2.0
	Pepper group	1.0
	Root and tuber vegetables (except artichokes)	1.0
	Spinach	2.0
	Stone fruits	3.0
	Strawberries	3.0
<b>Prometryn</b>	Peas	0.5
<b>Propamocarb hydrochloride</b>	Tomatoes	0.5
<b>Propiconazole</b>	Citrus group	6.0
	Oats	0.2
	Sorghum	0.2
	Stone fruits	0.2
<b>Prosulfocarb</b>	Barley	0.01
<b>Prothioconazole</b>	Canola	0.02
	Maize	0.05
	Soya beans	0.05
<b>Pymetrozine</b>	Tree nuts	0.02
<b>Pyraclostrobin</b>	Berries group	1.0
	Onion bulb group	4.0
	Pepper group	0.4
	Persimmons	0.02
	Strawberries	1.0
	Sunflower	0.3
	Tree nuts	0.02
	Wheat	1.0
<b>Pyrasulfotole</b>	Barley	0.02
	Wheat	0.02
<b>Pyridalylidichloropropene-derivative</b>	Cabbage	0.2
	Lettuce	17.0
<b>Pyrimethanil</b>	Apples	5.0



I Chemical Substance	II Foodstuff	III MRL (mg/kg)
	Citrus group	10.0
	Onion bulb group	0.5
	Potatoes	0.05
Pyriproxyfen	Tomatoes	0.5
Pyroxasulfone	Wheat	0.02
Pyroxsulam	Wheat	0.01
Quinoxyfen	Strawberries	0.5
Spinetoram	Berries group, figs, tree nuts, persimmons and pomegranates	0.01
	Grapes	0.5
	Olives	0.01
	Potatoes	0.01
	Rooibos	0.01
Spinosad	Berries group	0.05
Spirodiclofen	Citrus group	0.1
Spirotetramat	Apples and pears	0.7
	Brassica vegetables or cruciferae	10.0
	Citrus group	1.0
	Cucurbits group	1.0
	Grapes	1.0
	Leafy vegetables and spinach	5.0
	Lettuce	5.0
	Pepper group	1.0
	Potatoes	0.1
Sulfoxaflor	Apples	0.3
	Grapes	1.0
	Pears	0.3
	Tomatoes	1.5
Tebuconazole	Apples	0.3
	Brassica vegetables or cruciferae	0.1
	Canola	2.5
	Carrots	0.02
	Maize	0.02
	Onion bulb group	0.18
	Pears	0.3
	Sorghum	5.0
	Stone fruits	1.0

I Chemical Substance	II Foodstuff	III MRL (mg/kg)
Terbutryn	Carrots	0.05
Thiacloprid	Brassica vegetables or cruciferae	0.1
	Carrots	0.1
	Potatoes	0.2
Thiamethoxam (sum of thiamethoxam and its metabolite CGA 322704)	Bananas	0.05
	Barley	0.01
	Berries group	0.2
	Cucurbits group	0.2
	Leguminous beans group, sunflower and groundnuts	0.02
	Oats and rye	0.1
	Pepper group	0.1
	Potatoes	0.1
	Sugar cane	0.05
Thiram (mg CS <sub>2</sub> /kg)	Rooibos	0.01
Trifloxystrobin	Barley	0.1
	Brassica vegetables or cruciferae	0.02
	Carrots	0.02
	Onion bulb group	0.02
	Soya beans	0.05

\* Provisional maximum residue limits pending final risk assessment by the Department of Health.

\*\* Provisional maximum residue limits pending data to confirm the proposed maximum residue limits.

(b) the deletion of the following particulars—

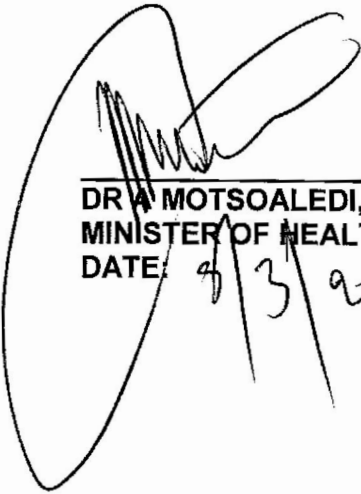
I Chemical Substance	II Foodstuff	III MRL (mg/kg)	Reason
Abamectin	Plums	0.01	Grouped as stone fruits
Aldicarb (sum of aldicarb, its sulphoxide and sulphone, expressed as aldicarb)	Bananas and coffee	0.5	Prohibited - Notice 862 of 29 July 2016
	Citrus, grapes and tomatoes	0.2	
	Cotton seed and sugar cane	0.1	
	Hops (dry)	2.0	
	Sweet potatoes and groundnuts	0.1	
	Macadamia nuts, mealies (green), pecan	0.05	



I Chemical Substance	II Foodstuff	III MRL (mg/kg)	Reason
	nuts and pineapples		
	Potatoes	1.0	
<b>Aldrin (HHDN) (sum of HHDN and HEOD)</b>	See dieldrin		Prohibited - Notice 862 of 29 July 2016
<b>Azoxystrobin</b>	Broccoli	0.20	Grouped as Brassica vegetables or cruciferae
	Brussel sprouts	0.05	
	Cabbage	0.01	
	Cauliflower	0.20	
<b>Boscalid (boscalid)</b>	Tomatoes	0.01	MRL revised
<b>Chlorothalonil</b>	Beans	3.0	Grouped as Leguminous beans group
	Peas	0.3	
<b>Cyromazine</b>	Potatoes	0.05	MRL revised
<b>Dimethyl didecyl ammonium chloride</b>	Avocadoes	2.0	MRL revised
	Citrus	2.0	MRL revised
<b>Dinoseb</b>	Mealies (green)	0.05	Prohibited - Notice 862 of 29 July 2016
<b>Endosulfan (sum of alpha-and beta-endosulfan and endosulfan sulphate)</b>	Apples	0.5	Prohibited - Notice 853 of 2012
	Apricots	0.5	
	Beans	1	
	Boysenberries	1	
	Cherries	0.5	
	Citrus	1	
	Coffee	0.5	
	Cotton seed	0.2	
	Cruciferae	1	
	Cucurbits	0.5	
	Granadillas	0.05	
	Grapes	0.5	
	Groundnuts	0.2	
	Hops (dry)	20.0	
	Macadamia nuts	0.05	
	Mealies (green)	0.5	
	Onions	0.1	
	Paprika (dry)	1.0	
	Peaches	0.5	
	Pears	0.5	
	Peas	0.5	

I Chemical Substance	II Foodstuff	III MRL (mg/kg)	Reason
	Pineapples	0.05	
	Plums	0.5	
	Potatoes	0.05	
	Quinces	0.5	
	Sorghum	0.5	
	Sugar cane	0.1	
	Sunflower seed	0.1	
	Tomatoes	0.5	
	Wheat	0.5	
	Youngberries	1.0	
Fosetyl-Al (phosphorous acid)	Citrus	15.0	MRL revised
Indoxacarb	Peaches	0.20	MRL revised and grouped as stone fruits
Lambda-cyhalothrin	Apricots	0.5	Grouped as stone fruits
	Peaches	0.5	
	Plums	0.2	
	Macadamia nuts	0.01	Grouped as tree nuts
Methomyl	Hops	0.1	MRL revised
Novaluron	Apples and pears	0.05	MRLs revised
	Citrus (orange)	0.50	
	Dry beans (seed), soya beans (seed)	0.10	
	Peaches, nectarines	0.05	
	Potatoes	0.01	
	Sorghum	0.02	
Pirimicarb (sum of pirimicarb, demethylpirimicarb and demethyl-formamido-pirimicarb)	Peaches	0.5	Grouped as stone fruits
Prometryn	Peas	0.05	MRL revised
Pyraclostrobin (sum of pyraclostrobin and its metabolite BF 500-3)	Citrus	0.1	MRL revised
Pirimethanil	Apples	0.5	MRL revised
	Citrus (orange)	10.0	Grouped as citrus

I Chemical Substance	II Foodstuff	III MRL (mg/kg)	Reason
Spirodiclofen (spirodiclofen)	Citrus	0.01	MRL revised
Tebuconazole	Onions	0.05	MRL revised



DR A MOTSOLEDI, MP  
MINISTER OF HEALTH  
DATE: 9/3/2014

## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 335

07 APRIL 2017

**CALL FOR COMMENTS ON THE OPEN LEARNING POLICY FRAMEWORK FOR POST-SCHOOL EDUCATION AND TRAINING**

I, Bonginkosi Emmanuel Nzimande, MP, Minister of Higher Education and Training, hereby publish the '*Open Learning Policy Framework for South African Post-School Education and Training*' for public comment under the Higher Education Act (Act No. 101 of 97), Continuing Education and Training Act (Act No. 16 of 2006) and the Skills Development Act (Act No. 97 of 1998).

The full document is available on the website of the Department of Higher Education and Training ([www.dhet.gov.za](http://www.dhet.gov.za)).

All interested institutions, persons and organisations are invited to comment on the policy framework. Comments should be submitted no later than 21 days (3 weeks) from the date of publication of this notice.

Comments in writing should be directed to Mr Lerato Modiba, email address: [Modiba.L@dhet.gov.za](mailto:Modiba.L@dhet.gov.za), Telephone: 012 312 5724. The name, address, telephone number, fax and email address of the person, governing body or organisation responsible for submitting comments must also be provided.

**DR BE NZIMANDE, MP****MINISTER OF HIGHER EDUCATION AND TRAINING****DATE:**

24/03/2017



**higher education  
& training**

Department:  
Higher Education and Training  
**REPUBLIC OF SOUTH AFRICA**

## **Open Learning Policy Framework for Post-School Education and Training**

**8 March 2017**

Table 1: Policy status

POLICY	
1. Name of Policy	Open Learning Policy Framework for Post-school Education and Training
2. Name of responsible Directorate	Career Development and Open Learning
3. Name of coordinator	Trudi van Wyk
4. Coordinator contact details	vanwyk.t@dhnet.gov.za
5. Status of policy (State whether it is still a draft or whether the policy is approved. If it is a draft, provide the version date and version number)	Second Draft for public comments Version 2.1
6. Date approved (if applicable)	
7. Gazette Details	
8. Date for next review	27 April 2017

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## Glossary

**Blended learning:** The provision of structured learning opportunities using a combination of contact, resource-based, and/or distance education methodologies, with different levels of ICT support to suit different purposes, audiences, and contexts.

**Distance education:** A mode of education provision based primarily on a set of teaching and learning strategies (or educational methods) that are used to overcome spatial and/or transactional distance between educators and learners. It is not necessary for learners to attend classes frequently and for long periods. Instead, it may use a combination of face-to-face interactions, different media, learner support mechanisms, discussions, and practical sessions.

**e-Learning** (also referred to as ‘technology-enhanced learning’): e-Learning uses ICT to access programmes or courses. It involves the use of electronic devices (for example computers and mobile devices) to provide, access or interact with learning materials, interact with peers and lecturers, participate in discussions and do assessments. e-Learning can take place online, offline, or in a combination thereof.

**Internet:** The global system of interconnected computer networks that use the Internet Protocol suite (IP) to link billions of devices worldwide. It is a *network of networks* that consists of millions of private, public, academic, business, and government networks of local to global scope, linked by a broad array of electronic, wireless, and optical networking technologies. The Internet carries an extensive range of information resources and services, such as the inter-linked hypertext documents and applications of the World Wide Web (WWW), electronic mail, telephony, and peer-to-peer networks for file sharing. The Internet has no centralised governance in either technological implementation or policies for access and usage; each constituent network sets its own policies.

**Learning management system (LMS):** A multi-user software programme for delivering programmes and courses to learners, registering students, administering, tracking, reporting on and documenting their participation, progress, performance and achievement/results. This information is accessible to lecturers, tutors and administrators, and, in most cases, information on each student is made available to the individual concerned, enabling students to track their own progress.

**Learning content management system (LCMS):** A multi-user software programme enabling lecturers, instructional designers and course/materials developers to create, develop, modify, store, re-use and organise e-learning content. It includes a centralised repository of learning materials and resources archived so as to be searchable and adaptable for use in any online course. Ideally, an LCMS should be entirely compatible and integrated with the LMS used by the same organisation.

**Massive open online course (MOOC):** An online course aimed at unlimited participation and open access via the World Wide Web. Currently most institutions do not award credit for completing MOOCs; however, many award a non-formal certificate of completion on payment of a fee. There is an international move towards recognising learning obtained through MOOCs in formal learning programmes.



Mode of provision: The method/s by which learning is taking place. There is a move away from traditional, single mode institutions (where all courses and programmes are mediated either by distance or contact-based methodologies) to dual and mixed-mode institutions where courses and programmes are mediated by a range of distance, resource-based and contact-based methods, with the blend of methods varying from context to context. Internationally there is a move away from individual programmes being accredited either as contact or distance provision.

Online learning: The predominant use of the Internet to learn. Learners have to be connected to the Internet to access and interact with learning materials, interact with peers and lecturers, participate in discussions and do assessments.

Open (and) distance learning (ODL): The use of distance education methods to support the realisation of open learning purposes and principles. Omission of the 'and' as in 'Open Distance Learning', and possibly the use of the acronym 'ODL', imply erroneously that ALL distance programmes are based on open learning principles. This policy framework does not support this term because of the ambiguity associated with its meaning.

Open learning: An educational approach which combines the principles of learner-centredness, lifelong learning, flexibility of learning provision, the removal of barriers to access learning, the recognition for credit of prior learning experience, the provision of learner support, the construction of learning programmes in the expectation that learners can succeed, and the maintenance of rigorous quality assurance over the design of learning materials and support systems.

Open Educational Resources (OER): Any educational resources (including curriculum maps, course materials, textbooks, streaming videos, multimedia applications, podcasts, and any other materials that have been designed for use in teaching and learning) that are published under an open licence and are available for use without an accompanying need to pay royalties or licence fees. Openly licensed content can be produced in any medium: text, video, audio, or computer-based multimedia.

Post-schooling (in the South African context): The provision of education and training opportunities to all people who have left school. It includes education and training for out-of-school youth, and institutions offering second chance learning, Technical and Vocational (TVET) colleges, Community Education and Training (CET) colleges, and education and training offered by the Sector Education and Training Authorities (SETAs), universities of technology and universities, private providers and other training colleges and institutes.

Resource-based learning: Learning which actively involves a range of resources (both human and non-human) in the learning process.

Social networking: Interacting and networking with others in a social online environment such as *Facebook* or *Twitter*.

Student support: This can be divided into four elements, namely academic support, counselling support, administrative support and technology support:

1. Academic support may refer to a wide variety of instructional methods, educational services or educational resources provided to students in an effort to help them accelerate their learning progress, catch up with their peers, meet learning standards, or generally succeed in their learning endeavours. Academic support includes but is not limited to face-to-face tutorials, remedial interventions and library services.
2. Counselling support is about life and counselling support for students in the form of career guidance, study skills and computer skills training and assistance for students facing crisis situations and adjustment issues.
3. Administrative support is about providing students with timely, accurate and accessible information to assist with all phases of the learning process.
4. Technology support is about providing students with access to technology, the necessary information relating to computer elements required to support course software, directions for using essential tools like email, chat and discussions for asynchronous and synchronous interaction with lecturers and tutors, and assignment drop boxes.

Technology-enhanced learning: Structured learning mediated through software applications using digital resources (usually combinations of text, audio and visual/video files) and communication, and accessed through a range of fixed or mobile hardware devices. Such learning provision may be on-line and synchronous (e.g. real-time conferencing), on-line and asynchronous (e.g. text-based discussion forums) or off-line (e.g. interactive or resource-based CD/DVD/flash drive). ICT can support learning in contact, blended and distance programmes.

## Acronyms

CAT	Credit Accumulation and Transfer
CET	Community Education and Training
CHE	Council on Higher Education
DBE	Department of Basic Education
DHET	Department of Higher Education and Training
Digital-DF	Digital Development Fund
DST	Department of Science and Technology
DTPS	Department of Telecommunications and Postal Services
FET	Further Education and Training (now replaced by TVET)
GCIS	Government Communication and Information System
ICT	Information and Communication Technologies
LCMS	Learning Content Management System
LMS	Learning Management System
MOOC	Massive Open Online Course
NDP	National Development Plan
NEET	People that are not employed, in education or training
NOLA	National Open Learning Agency
NOLF	National Open Learning Forum
NOLS	National Open Learning System
NQF	National Qualifications Framework
NSFAS	National Student Financial Aid Scheme
OER	Open Education Resource
OLII	Open Learning Implementation Index
OL-RIM	Open Learning Review and Improvement Model
PQM	Programme and Qualification Mix
PSET	Post-school Education and Training
QC	Quality Council
QCTO	Quality Council for Trades and Occupations
RPL	Recognition of Prior Learning
SACPO	South African College Principals' Association
SADC	Southern African Development Community
SAIDE	South African Institute for Distance Education
SAIVCET	South African Institute for Vocational and Continuing Education and Training
SANREN	South African National Research Network
SAQA	South African Qualifications Authority
SEIAS	Socio-Economic Impact Assessment System
SETA	Sector Education and Training Authority
TVET	Technical and Vocational Education and Training
Umalusi	Quality Council for General and Further Education and Training
USAf	Universities South Africa
WIL	Work Integrated Learning

## Preamble

Since the establishment of the Department of Higher Education (DHET) in 2009, South Africa has been building a new post-school education and training system (PSET) that is responding to the social, economic and transformative needs of the country.

The Department's Strategic Plan: 2015 to 2020, which is informed by the vision espoused in the National Development Plan (NDP), the 2014-2019 Medium Term Strategic Framework and the 2014 *White Paper for Post-School Education and Training*, identifies expanded access to education and training opportunities and diversified provision based on open learning principles to improve learning across the PSET sector.

This *Open Learning Policy Framework for South African Post-school Education and Training* has been developed in the context of:

- (i) the strategic intention laid out in the 2014 *White Paper for Post-School Education and Training* to expand this system significantly;
- (ii) the commitment of the DHET to implement open learning principles and approaches across the PSET system in a structured and systematic way;
- (iii) mounting pressure to expand access to more cost-effective and flexible education and training; and
- (iv) increasing, but far from equal, penetration and affordability of information and communication technologies (ICT) across South Africa.

The DHET does not view open learning as the only solution for the many challenges in the post-school sector in South Africa. Rather, the Department is committed to encouraging institutions to adopt open learning approaches, and to supporting institutions to introduce open learning practices as one practical way of addressing crucial issues of widening access to affordable, quality learning opportunities. This is the policy framework's purpose and explicit goal. However, international research and local experience strongly suggest that in pursuing this goal, a shift towards open learning approaches will also nudge the post-school sector towards taking on board discernible changes in the ways new generations of learners are beginning to view learning, education and training.

# Open Learning Policy Framework for South African Post-school Education and Training

## 1. Introduction

### 1.1 Background and rationale of the policy framework

The Minister of Higher Education and Training, Dr BE Nzimande, MP has repeatedly affirmed that employment is essential for creating social stability in South Africa. People who do not have a reasonable hope of finding decent work – or creating their own sustainable livelihoods – have little to lose and have little stake in maintaining a stable society.

One of the obligations of the DHET is to increase access to educational opportunities for those who experience barriers to learning and for young people who are not in education, training or employment (NEET). Such barriers include:

- i. geographic isolation from campuses or learning centres within reasonable proximity;
- ii. lack of reliable access to digital infrastructure, adequate bandwidth, the internet and ICT;
- iii. inability to take time off from work or family obligations for structured learning;
- iv. discrimination on the basis of physical disability, gender, age, social class or race;
- v. a lack of qualifications considered necessary as requirements for admission to particular programmes;
- vi. financial constraints and an inability to meet the cost of studies; and
- vii. past experience of content-based, transmission-type pedagogy and assessment that restrict accessibility, alienate the learner or contribute to a loss of confidence.

The DHET has adopted 'open learning' as a strategy to increase access to education and training opportunities for all and to construct quality learning environments which take account of learners' context and use the most appropriate and cost-effective methods and technologies. The DHET supports the development of open learning opportunities as an integral part of the post-school education and training (PSET) system, and not as an add-on or second-best to face-to-face and/or classroom engagements. There is an intention to forge networks of institutions and learner support centres, and to promote innovation and opportunities for lifelong learning.

### 1.2 Scope of the policy framework

Following the policy directives presented in Chapter 7 of the *White Paper for Post-School Education and Training*, this policy framework sets out the strategic intent of the DHET in steering the PSET system towards increasing access and improving quality cost-effectively through open learning. The scope of this policy is national; it is aimed at the entire PSET system, including universities, technical and vocational education and training (TVET) colleges and community education and training (CET) colleges, as well as skills providers, but not at the schooling sector. It also covers, where appropriate, private providers.

Distance education, online learning, technology-enhanced learning and e-learning (see par 2.1.2) all offer greatly increased access, while the latter ICT-based modalities also offer a growing range of innovative and effective teaching and learning methods (increasing learners' chances of success). However, this policy framework views these modalities as significant means of achieving open learnings rather than as being synonymous with open learning.

### 1.3 Purpose of the policy framework

The purpose of the policy framework is to provide a framework for, and to direct, the implementation of open learning in the PSET system as outlined in the 2014 *White Paper for Post School-Education and Training*.

The policy framework aims to:

- i. provide a framework for building a shared, common PSET system, making extensive use of open learning approaches and distance education methodologies;
- ii. set out guiding principles and specific objectives for the implementation of open learning in the PSET system that will guide the decision-making and activities of government, PSET institutions, the staff that work in them and the learners learning in the PSET system;
- iii. provide a high level strategy for implementing open learning approaches in the PSET system in a structured, integrated manner;
- iv. identify instruments and mechanisms for steering the PSET system towards increasing access and quality through the incremental adoption of open learning approaches and through appropriate monitoring, evaluation and quality assurance; and
- v. provide a framework for co-operation and collaboration among the DHET, institutions and skills providers to implement open learning approaches in an organised and systematic way.

### 1.4 Policy development processes

In February 2013 the DHET developed a *Concept Note: Open Learning in Post-School Education and Training* to provide a vision for the future delivery of open learning in the PSET system that would be sustainable and meet the needs of a wide range of learners from the vocational and continuing education and training sector and the university sector, as well as the needs of NEET youth. The concept note created a common understanding of open learning for the PSET system, and served as the starting point for the development of this policy framework.

The DHET initiated a consultative process to elaborate on the understanding of open learning and related terms; propose pilot initiatives to embed open learning principles within the existing PSET system; and identify related policy implications for Adult Education and Training (as it was then) including community education and training (CET); Technical and Vocational Education and Training (TVET) colleges; Skills Development; University Education and Career Development Services.

Workshops were held with key stakeholders to discuss the vision and principles of open learning in the South African context, and to identify large-scale education and training needs at a provincial and national level,

possible ways of responding to these needs, and whether programmes could be designed which would address these needs while incorporating the principles of open learning. Participants included, among others, representatives of non-governmental organisations, academic institutions, the Department of Basic Education (DBE) and DHET, and Sector Education and Training Authorities (SETAs). A University sector seminar and two TVET college seminars were convened to discuss key challenges in these sectors, and to identify critical success factors and elements to be included in open learning in South Africa.

Emanating from this consultation process, a *Concept Framework for an Open Learning System in Post-School Education and Training in South Africa* was presented to the DHET. This document made a number of recommendations which shaped subsequent policy in the 2014 *White Paper for Post-school Education and Training*, and in this Policy Framework.

Based on the conceptual framework and policy recommendations made in the *Concept Framework for an Open Learning System in Post School Education and Training in South Africa*, as well as the outcomes of a Socio-Economic Impact Assessment (SEIAS) done on the viability of a policy framework, the DHET developed a draft *Open Learning Policy Framework for Post-school Education and Training*.

The draft policy framework was extensively consulted within the DHET, and with the DBE, institutions, and various organisations.

### 1.5 Evidence-based policy development

This policy was developed by integrating experience, judgement and expertise with the best available external evidence from research. A widely consultative approach and the SEIAS methodology were included that represents a more rigorous, rational approach that gathers, critically appraises and uses high quality research evidence to inform policymaking and professional practice.

Evidence used:

- i. Understanding of the policy environment (national and international context);
- ii. Appraising the likely effects of policy changes, choosing between different policy options and subsequently assessing their impacts (SEIAS methodology);
- iii. Demonstrating the links between strategic direction, intended outcomes and policy objectives, to show the clear lines of argument and evidence between current practice and the aims outlined in the policy (theory of change);
- iv. Determining how to meet the strategic goals or intermediate objectives (strategic objectives and implementation strategy); and
- v. Influencing institutions, partnerships and stakeholders to achieve and implement policy goals (implementation strategy).

### 1.6 Structure of the policy framework

The policy framework is organised into six sections, namely an introduction; the conceptual framework; the strategic intent; monitoring and evaluation; the implementation strategy and the concluding statement.

The conceptual framework provides a definition and explanation of the concept 'open learning', and distinguishes it from concepts and terms with which it is frequently conflated or associated. It also outlines the principles that underpin open learning in the PSET system. Sections follow on international trends, agreements and treaties relevant to open learning, and on the legislative and policy context in South Africa.

The document furthermore sets out the policy framework's strategic intent. The DHET's vision of open learning for post-school education and training is presented, followed by the theory of change underpinning the means for achieving that vision as they are set out in the policy framework. Aligned with the 2014 White Paper, it then identifies five strategic objectives based on the central goal of creating an enabling environment for the implementation of open learning in PSET. It also emphasises the importance of advocacy and communication.

Within the context of the DHET's monitoring and evaluation framework, this policy framework then outlines the instruments for monitoring and evaluating the implementation of open learning.

The high level implementation strategy addresses the co-ordination needed to ensure the sound and sustained implementation of open learning; formulates the policy instruments and steering mechanisms to be used in implementation; and mandates the formation of a National Open Learning Forum (NOLF). Finally brief descriptions on institutional implementation, funding, and the evaluation and review of the policy framework are provided.



## 2. Conceptual Framework

The South African Government affirms its commitment to opening the doors of learning and removing unnecessary barriers to education and training for everyone, especially those who have been marginalised in the past. One of the ways to achieve this is to apply open learning approaches in PSET.

### 2.1 Open learning concepts

#### 2.1.1 Defining open learning

Adhering to the 1995 *White Paper on Education and Training* definition, and the definition outlined in the *White Paper for Post-school Education and Training*, this policy framework sees open learning as:

‘... an **approach** which combines the principles of learner-centeredness, lifelong learning, flexibility of learning provision, the removal of barriers to access learning, the recognition for credit of prior learning experience, the provision of learner support, the construction of learning programmes in the expectation that learners can succeed, and the maintenance of rigorous quality assurance over the design of learning materials and support systems’.

Open Learning enables many people to take advantage of cost-effective and meaningful, quality education and training opportunities throughout their lives. The DHET will strive to make this possible through acknowledging the diversity of learning contexts of learners in South Africa; reducing barriers to learning; sharing expertise, knowledge, and resources; and increasing access to diverse learning opportunities.

#### 2.1.2 Open learning principles

The key open learning principles underpinning this policy framework are:

- i. learners are provided with opportunities and capacity for lifelong learning;
- ii. learning processes focus on the learners and contexts of learning, build on their experience, and encourage active engagement leading to independent and critical thinking;
- iii. learning provision is flexible, allowing learners to increasingly determine where, when, what and how they learn, as well as the pace at which they will learn;
- iv. learners have access to learning opportunities, and unnecessary barriers to access have been removed. This includes providing free access to learning materials; access to cost-effective value-added services such as learning support, tutoring and counselling; and cost-effective registration and assessment opportunities;
- v. prior learning and experience is recognised wherever possible;
- vi. arrangements for credit transfer and articulation between qualifications facilitate further learning;
- vii. providers create the conditions for a fair chance of learner success through learner support, contextually appropriate resources and sound pedagogical practices; and
- viii. open learning is embedded in, enhances and expands the current education and training system (programmes and qualifications), and is not an add-on or a second-best to the current system. It can, however, also provide learning opportunities for non-formal learning.

These principles are integrated in the strategic objectives of this policy framework and are not addressed individually.

### 2.1.3 Open learning and diverse modes of provision

Internationally and in South Africa, there is a tendency to conflate or equate open learning with distance education, e-learning, online learning or blended learning and other terminology.

Open learning is not a synonym for distance education. The term 'distance education' describes a collection of modes of delivery for the provision of structured learning in which the learner and the educator<sup>1</sup> do not have to be in the same place at the same time for learning to take place. It provides techniques of educational design and provision that when used appropriately can be open insofar as they can provide better chances of success to vastly more people who would otherwise not be able to access learning programmes, and at greatly reduced cost once initial expenditure has been covered.

The DHET does not advocate the use of concepts that integrate open learning and distance education such as 'open distance learning' or 'Open and Distance Learning' (ODL). These have created a misperception that distance education is inherently 'open'. This is a challenge, not only because poor distance education practice can easily close opportunities of actual learning, but equally because it incorrectly assumes that only distance education strategies are open. In campus-based education and training, blended learning combines various forms of e-learning with more traditional methods such as lectures enabling students to access a diverse range of educational experience, and to pursue part of their studies at a time and place of their own choosing.

Another term that is sometimes used is 'resource-based learning' that only refers to learning which actively involves a range of resources (both human and non-human) in the learning process. This also includes the use of electronic (online and offline) technologies, and in specific information and communication technologies (ICT) in the learning process. This policy framework noted the misconception that e-learning or the structured use of electronic technology itself provides a truly open system.

Although the use of ICT has opened up learning and teaching in many ways, open learning does not necessarily mean e-learning or technology-enhanced learning. In situations where access to internet connectivity or devices is severely limited, it may make sense to open access to learning opportunities via non-electronic means such as print media. Furthermore, the employment of sophisticated e-learning technology, especially programmes that are fully online, will *exclude* many learners who lack access to the necessary devices and/or reliable internet connectivity. Thus although online learning can potentially accommodate different ways and styles of learning (making for greater accessibility), and enable the construction of a potentially richer learning environment, it simply does not equate to open learning.

While all the learning modalities mentioned above (distance education, resource-based learning, e-learning, online learning and blended learning) are important *vehicles* for open learning, none of them should be *equated* with open learning, and open learning has no conceptual value as a synonym for any of them. Rather, it is a

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<sup>1</sup> 'Educator' is used in a general context and include teachers, lecturers, and instructors. When the document refers specifically to PSET, the word 'lecturer' is used that include also the instructors in practical components and skills development programmes.

general approach to education and training based on a set of open learning principles. When the term 'open learning' is used in this policy framework, it refers to any education and training (mode) which follows open learning principles, and is not specific to any particular mode of delivery.

#### **2.1.4 Open learning as an ideal**

As a principle-based concept, open learning presents an ideal or goal rather than an absolute, all-or-nothing imperative. Thus, in the context of this policy framework, learning programmes and courses cannot for the most part be fully 'open'. Most importantly, open learning should not be considered as an add-on to existing education and training offerings, or seen as a second-best option, but should be recognised as a principled approach to learning which has the capacity to transform teaching, learning and access to education and training in quite radical ways, whatever mode is used.

#### **2.1.5 Access, flexibility, quality and success**

Open learning is fundamentally about access and success, with flexibility of provision contributing to expanded access, and quality of provision contributing to improved student success. Its aim is that more learners should have better access to learning opportunities throughout their lives, including access to quality learning materials and learner support. It furthermore focuses on better throughput, and higher success rates. In addition, and crucially in developing countries like South Africa, open learning can contribute substantially to cost-efficient provision to the benefit of both the education fiscus and learners.

On one hand open learning is focused on *removing barriers* to access created by various factors such as geographic distance from educational campuses, timetable scheduling that is incompatible with people's working lives or family responsibilities, unaffordable fees, alienating pedagogic practices, lack of access to technology, lack of physical educational infrastructure, and discrimination on the basis of gender, age, race, ethnicity, social class, language or disability.

More flexible provision allows learners more scope to determine where, when, what and how they will learn, as well as the pace at which they will learn and whether they wish to acquire certification at the conclusion of a course. In addition, open learning recognises formally assessed prior experience and learning (not necessarily academic learning) as parallel to formal education in qualification admission requirements, and encourages arrangements for credit transfer and articulation between qualification programmes in order to facilitate lifelong learning.

At the same time, open learning is also focused on the need for the learners who benefit from wider access to learning opportunities to be successful in pursuing those opportunities; thus open learning is focused on providing education and training of the highest possible quality. In some senses this emphasis on quality is an extension of the access principle, placing the learner at the centre of the teaching and learning process, and building accessibility into the very design of programmes, courses and learning materials. In providing learner support (in-text, via phone or any other platform, online or face-to-face), sound open learning practice takes full cognisance of the individual learner's context and needs. This focus on the learner, on access, on success and on

quality should extend to the design of learning text itself, of the graphic material and experiential activities, where these elements are re-thought with the learner and his/her context in mind, and are imaginatively constructed to eliminate the barriers commonly created by alienating presentation.

#### **2.1.6 Cost efficiency**

While the four priorities outlined above are the essential foci of open learning, the emphasis on extending access to learning opportunities also has the potential to contribute to cost efficiency, with benefits for both national education expenditure and learner alike. Operational and ongoing costs may be kept low, both through economies of scale (in cases where enrolment numbers are substantial and expenditure on additional physical infrastructure is unnecessary or limited) and by making use of open education resources (OER) and open licensing (see section 3.2.5).

However, it must be noted from the outset that the motive of cost efficiency needs to be viewed in context. Cost-benefit ratios and economies of scale in open learning are complex rather than absolute, and should not be taken for granted. The possible necessity of putting in place expensive technological infrastructure, and the need for collaboration in developing the high-quality courses and learning materials which produce not only deeper and more satisfying learning, but also higher success rates, usually result in considerably higher levels of initial expenditure than more traditional approaches. However, this expenditure may diminish over time in the case of large-enrolment courses and programmes as economies of scale have an incremental effect.

### **2.2 International trends**

The next section briefly describes current international trends in open learning. These should be read against the complex background of the poverty and exclusion from resources and facilities experienced by many in the townships, informal settlements and rural villages of South Africa, as well as the relative privilege, cultural capital and access to facilities experienced by the middle class. It should furthermore be read in the context of fundamental rights and transformational issues of access, non-discrimination, redress of inequalities, equality and equity.

#### **2.2.1 Expanded access through open learning**

Worldwide, governments are facing a growing demand for expanded access to post-school education and training, equity of provision, cost-effectiveness and improved quality of teaching and learning. Throughout the developing world populations are increasing, and globally (including in more developed countries) rising unemployment and changes in employment patterns and the organisation of work, as well as an increasing trend towards lifelong learning, are driving up the demand for affordable post-school education and training. Furthermore, knowledge- and service-based economies, today highly dependent on ICTs and automation, and accompanied by high rates of de-skilling and re-skilling, are increasingly dominant in both developed and developing countries. All of these factors tend to increase the social demand for qualification upgrades, re-skilling and other forms of lifelong re-education and training, over and above the demand pressures resulting from population growth and an inability on the part of many young school-leavers to find employment.

In the face of increasing pressure for expanded access to post-school education and training, many governments have turned, or are turning to open learning approaches, devising ways to make learning opportunities available to larger numbers of learners, particularly those who have been excluded in the past. In so doing their aim is also to find cost-efficient options as the costs of post-school education and new educational infrastructure escalate. In effect, many are looking to distance education, and more recently to specifically online learning, as ultimately cost-effective means to cross-subsidise their campus-based programmes.

### **2.2.2 Developments in Information and Communication Technologies**

At the same time, the rapid pace of development in ICT opens up new ways to make learning more flexible, accessible and in many cases, more effective and more satisfying. If access is to be extended to as many as possible, then technologies that extend availability to more potential learners, even if not to all, need to be utilised.

### **2.2.3 Learning content management systems**

Worldwide, educational and training institutions, and many national governments, have established learning management systems (LMSs) to manage the large volumes of student data resulting from massive enrolments, and to track learners' progress, allow student-to-lecturer and student-to-student communication. In most cases, LMSs are integrated with learning content management systems (LCMSs), which enable lecturers, instructional designers and course/materials developers (as well as students, when this is encouraged) to create, store, manage, adapt and re-use e-learning content.

### **2.2.4 Use of open educational resources**

A trend promising to change the face of education and training is the proliferation in the use of open educational resources (OER), open education licensing policies and OER repositories in both school and post-school education and training, often driven by public policy and facilitated by the extensive use of ICT in materials development.

### **2.2.5 Blended learning**

Blended learning is becoming increasingly common in both contact and distance modes, drawing on best practices in both online and face-to-face methods. In contact mode situations, this is often combined with a flipped classroom approach in which typically, short video lectures are viewed or readings done by students at home before class, while 'lectures' are devoted to discussions or structured activities. Such innovations require a change in the mindset of lecturers and institutions, rather than vast expenditure.

### **2.2.6 Massive Open Online Courses**

A conspicuous trend in the past decade has been the proliferation of courses which are freely open to anyone with access to the internet, or at relatively limited cost if some form of certification is involved. These Massive Open Online Courses (MOOCs) provide access to a vast array of free courses available on the Internet, in many

cases by reputable international institutions. Many of these courses include links to relevant open access databases containing bibliographic and other information of particular value to more ambitious learners, post-graduate learners and course developers. An increasing volume of research on assessing and assuring quality in MOOCs points to the validity of this quality assurance, as well as to the positive impact of at least some MOOCs in terms of cost-effective delivery and quality.

While debate continues regarding the efficacy of MOOCs to promote quality learning experiences, especially at undergraduate level, a MOOC could provide an opportunity for institutions to secure high quality learning content and activities which might be implemented as part of a mediated course. There is an increasing need to develop national policies affording credit recognition for successfully completed MOOCs offered by accredited institutions. In many cases however, the content of MOOCs is not available under an open licence, being available only to individuals learning for the duration of the course offering.

Studies done on MOOCs in developing countries demonstrate that they are not only well accepted, but also that the population of MOOC learners in these countries is more diverse than in developed countries, and is largely composed of low- and middle-income students. It also finds that students in developing countries are also much more likely to complete an online course and obtain formal certification than their counterparts in the developed world.

#### **2.2.7 New types of open institutions**

To overcome financial barriers to access, new types of open institutions are emerging which make extensive use of digital technologies. Such institutions aim to increase access to education through reducing costs by making use of open source software, free content licensing and the open web. Courses are fully online and learners who meet admission criteria are able to register worldwide. Course forums, online study forums, collaborative discussions and peer-to-peer engagement are extensively used, with assessment and examinations completed online.

#### **2.2.8 Cross-institutional collaboration**

Networks of institutions are formed, sharing courses and freely offering them online for learners worldwide. Partner institutions in such networks provide affordable ways for learners to gain academic credit towards qualifications from recognised institutions. Such cross-institutional collaboration supports innovation and growth in technological infrastructure, contains costs, and increases access to, and the quality of, education.

#### **2.2.9 Emphasis on active learning approaches**

Another welcome trend is the growing emphasis in higher education on deeper learning approaches, engaging students in critical thinking, problem-solving, collaboration, and self-directed learning. Project-based learning, challenge-based learning and inquiry-based learning are fostering more active learning experiences inside and outside the classroom.

### **2.2.10 Recognition of prior learning and credit accumulation and transfer**

Recognition of prior learning and credit accumulation and transfer are not new processes in education and training. However, the advent of open learning with its emphasis on extending access, and new learning opportunities such as MOOCs, are generating renewed interest in these means of achieving admission to, or advanced standing in, academic programmes through the assessment of prior learning, or learning by means other than conventional courses.

### **2.2.11 Digital badges**

Digital badges are a relatively new form of recognition of learning achievement. These are a form of online recognition of a skill achieved, or a project, course or programme element successfully completed, even if a full qualification is never pursued. They provide a visible motivation for the learner, and can be displayed in any digital format, used for recognition of learning that has been achieved, and shared in applications for employment or to study further. This innovation resonates with the trend towards learners opting for informal learning, purpose-driven learning, just-in-time learning and learning packaged in small units.

### **2.2.12 Popularity of non-formal and informal learning**

In addition to learning that is formally accredited and managed under the auspices of departments of education, or college or university administrations, non-formal learning and informal learning are gaining in popularity. Non-formal learning refers to a type of learning offered by institutions that does not have a formal credential or certification as an outcome. Informal learning by contrast is not managed by an institution at all, but is rather managed by the individual learner. LCMSs are increasingly being used to produce 'curated content' for informal learning – information that is sorted, verified and presented as learning that is accessible, meaningful, engaging and relevant to learners' needs.

The current trend towards informal learning is a consequence of the evolution of a range of tools and services characterised by greater interactivity, collaboration among internet users and content providers, extensive network connectivity (often through mobile devices), and sophisticated communication technologies. Instead of passively downloading content off the Internet, users themselves take an active role in generating web-based content. Learners are able to compile their own curriculum and digital learning materials, and form social learning networks or learning communities.

### **2.2.13 Mobile technologies**

The most significant technological advance is the widespread use of smartphones and other mobile devices that place enormous computing power in the user's hands. Increasingly, a majority of young students are expressing their preference for mobile learning: educational software, material and communication that are designed specifically for such mobile devices.

'Bring Your Own Device' is a learning concept related to mobile technologies that opens up learning inside and outside the classroom. Institutional policies allow students to bring their own mobile devices with them into the

classroom or other learning environments, where they are able to use these to connect to the institution's network and learning systems, and to communicate with other students and peers.

The above trends contribute significantly to current changes in how teaching and learning are taking place (pedagogy), what is being learnt and what learners are choosing to learn (content), and how learners interact with the teaching and learning environment (technology). This policy framework acknowledges these trends and their relevance for the South African PSET system.

## **2.3 Legislative and policy context in South Africa**

This section gives a short synopsis of the current legislative and policy environment in place to regulate and direct open learning in South Africa. Open learning is ultimately aligned with the following right set out in the *Constitution of the Republic of South Africa* (Act 108 of 1996): 'Everyone has the right (...) to further education, which the state, through reasonable measures, must make progressively available and accessible.'

### **2.3.1 White Paper on Education and Training (1995)**

The *White Paper on Education and Training* (1995), which laid the foundation for the new Education and Training System in South Africa, affirmed the Government's commitment to opening up learning and removing barriers to education for those who had been disadvantaged by South Africa's past. Based on the principles of access, equity, quality, equality and redress, it called for the adoption of open learning principles in order to meet the increasing need for expansion and quality provision in the system. It formulated the definition of open learning adopted by the *White Paper for Post-School Education and Training* (2014), as well as this policy framework. It also called for the establishment of a National Open Learning Agency (NOLA) that would work with the then Department of Education to promote open learning in education and training, develop an open learning system for South Africa and explore 'the capacity of existing institutions which might form part of the national open learning system'.

### **2.3.2 White Paper for Post-School Education and Training (2014)**

The *White Paper for Post-School Education and Training* (2014) supports the development of a PSET system based on open learning principles, where quality learning environments are constructed which take account of student context and use the most appropriate and cost-effective methods and technologies.

In the White Paper the DHET commits to build an expanded, effective and integrated PSET system. In chapter 7, 'Open Learning through Diverse Modes of Provision', the DHET commits itself to working towards a PSET landscape based on open learning principles, and to broadening models of educational provision so that people have easier access to meaningful opportunities throughout their lives. This undertaking includes building a network of educational institutions supported by learning support centres and appropriate technology, collaborating in the development of learning materials, and committing to the development and use of OER. It also supports the intention to use digital technology where appropriate to enhance access, improve communication and generally optimise student engagement.



The 2014 White Paper envisages e-learning being incorporated into different modes of provision, including face-to-face, as digital technology becomes more accessible in South Africa. It is thus committed to collaboration with the Department of Telecommunications and Postal Services and the Department of Science and Technology, to facilitate increased bandwidth and reduced costs for educational purposes. Further mechanisms to build capacity for staff and students to use technology effectively, will also be supported.

This policy framework is aimed at taking further the policy outlined in the 2014 White Paper, in particular the mandate set out in Chapter 7 of that document.

### 2.3.3 Higher education legislation and policies

Section 38.1 of the Higher Education Act (Act No 101 of 1997) supports collaboration and partnerships in higher education between public universities. In alignment with the Act, the *Policy for the Provision of Distance Education in South African Universities in the Context of an Integrated Post-School System* signals the intent of the DHET to draft a policy on partnerships and collaboration that will likely also formalise opportunities for institutions to collaborate on the offering of programmes, that in itself open up learning.

*White Paper 3 on the Transformation of the Higher Education System* (2007) promoted the development of a flexible learning system, including distance education and resource-based learning, built on open learning principles. It mandated increasing student enrolments based on open learning and distance education, with particular emphasis on women. Furthermore, this White Paper required the then Department of Education to support the development of a national network of centres of innovation in course design and development, as this would enable the development and franchising of well-designed, quality and cost-effective learning resources and courses, building on the expertise and experience of top quality scholars and lecturers in different parts of the country.

As in the *White Paper for Post-School Education and Training* (2014), the *Policy for the Provision of Distance Education in South African Universities in the Context of an Integrated Post-School System* (2014) recognises the impact of ICT on the provision of education in the higher education sector, and supports the creation of an enabling environment for appropriate integration of ICT, and the expansion of distance education provision in an orderly manner in which access and quality issues are at the forefront.

Though its focus is only on universities, it highlights open access to higher education opportunities for those who cannot attend traditional campus-based provision, the need for quality assurance to ensure that distance education provision offers a reasonable chance of success, and the potential of distance education to lower costs per student by amortising curriculum design, materials development and some teaching costs across larger numbers of learners and by obviating the need for continuing investment in physical infrastructure. Among its key provisions are promoting the development and use of Open Educational Resources (OERs), and an undertaking to work towards every post-school student having reasonable access to affordable connectivity.

It is important to note that while this policy framework recognises the utilisation of multiple delivery options, the higher education system for public universities continues to differentiate simply between contact and distance provisioning for funding purposes, thus the policy proposes a more nuanced funding system.

In the wider national policy context, the Council on Higher Education (CHE) published in 2014 the *Distance Higher Education Programmes in a Digital Era: Programme Accreditation Criteria and Good Practice Guide*, which makes a significant contribution to our understanding of the implications of using ICT in support of both distance and classroom-based education, and provides clear and detailed guidance in the carefully thought-out choices that course and materials designers must make when employing ICT in support of learning.

#### **2.3.4 Technical and Vocational Education and Training legislation and policies**

In order to reach the 2030 NDP target of 2.5 million enrolments set for Technical and Vocational Education and Training (TVET) colleges, the DHET has to rethink how institutions work, the long-term impact of technological advancements, and how TVET colleges need to structure themselves around increasing the employability of their students by considering additional, technology-based means of education and training delivery.

The Continuing Education and Training Act (Act No 16 of 2006) commits to 'ensure access to basic adult education, further education and training and the workplace through continuing education and training by persons who have been marginalised in the past such as women, the disabled, and the disadvantaged'. It further commits to 'provide optimal opportunities for learning, the creation of knowledge and the development of intermediate- to high-level skills, in keeping with international standards of academic and technical quality.' The act furthermore emphasises the provision of opportunities for life-long learning.

The traditional way of providing education and training through face-to-face modalities is not sustainable in the current resource-constrained environment. Thus sustainable, alternative open learning approaches and methodologies such as distance education and online learning have to be considered.

*White Paper 4: A Programme for the Transformation of Further Education and Training* (1998) commits to the development and expansion of high-quality, flexible, innovative Further Education and Training (FET) (now TVET) institutions, based on the principles of open learning and responsiveness to the needs and demands of all learners of 15 or over. Open learning approaches and a system increasingly orientated towards lifelong learning and responsiveness to the needs of learners and communities, would widen participation, promote equity and social mobility, and improve the quality of life of our people.

This White Paper envisages an open learning philosophy and programme-based approach to provision encouraging institutional diversity, the use of multiple sites of learning and the growth of 'virtual' institutions: 'Learning will take place in the workplace, at community facilities and in learners' private homes. Some learners will use the Internet and other technologies to access learning via a network of institutions, who might be located very far apart and who need have no formal, centralised organisation or structure.'

### **2.3.5 Community Education and Training legislation and policy**

The Continuing Education and Training Act (Act No 16 of 2006), as described above, also has relevance to Community Education and Training (CET) colleges.

The *White Paper for Post-School Education and Training* (2014) describes CET colleges as a new type of institution that will be provided with adequate infrastructure so as to be responsive to the need of local communities, including empowering communities to embrace technology effectively to access the world of work and to embark on life-long learning.

The *National Policy on Community Education and Training Colleges* (2014) provides a framework for the provision of a diverse range of programmes, including different modalities for delivery. In the long term, online programmes are going to be one of the critical modes of provision for delivery of community education and training programmes.

### **2.3.6 Skills development and workplace-based training**

The Human Resources Development Convention, 1975 (No. 142), and Recommendation 2004 (No. 195) encourage the development of education, training and lifelong learning, including policies that promote and sustain public and private investment in the infrastructure needed for the use of information and technology in education and in specific in training.

The Skills Development Act (Act No 97 of 1998) requires that learners have access to high quality and appropriate education and training, and to skills development opportunities accessible in a work-integrated approach. It emphasises the relevance of education in the workplace and learning 'on the job'. Open learning approaches, and specifically technology-enhanced learning, open a world of simulations and real world applications to support and reinforce theoretical training. The Act also provides clear directives to the Sector Education and Training Authorities (SETAs) regarding their function of providing education and training opportunities.

According to the National Skills Development Strategy (NSDS) III, people have to be capacitated and empowered to create their own opportunities in developing sustainable livelihoods. Online methodologies provide the opportunity to the entrepreneur to learn while earning his/her livelihood.

### **2.3.7 Registration of qualifications and accreditation of programmes**

With the promulgation of the National Qualifications Framework Act (Act No 67 of 2008), three Quality Councils (QCs) were established to ensure the accreditation of qualifications within their respective sub-frameworks. Any qualification, regardless of mode of provision, has to be registered on the NQF through the standard established processes. The QCs are also responsible for the quality assurance processes relevant to their respective sub-frameworks and the institutions which deliver their qualifications.

The quality assurance regime has a responsibility to consider how to ensure that programmes and courses offered using open learning approaches and related methodologies have the same structure of quality assurance as other means of provision.

### 2.3.8 Transfer of credits

The DHET published the Articulation Policy (No 373, Government Gazette No 39867, 30 March 2016) to provide purposes, principles and recommendations to inform the articulation practices of role-players in the PSET system. It facilitates the access, progression and mobility of students between and within the three sub-frameworks of the NQF.

The South African Qualifications Authority (SAQA) has already developed a Policy for Credit Accumulation and Transfer within the National Qualifications Framework (2014), which is binding on the three Quality Councils and on institutions, as per the NQF Act (Act No 67 of 2008). This policy must also be tested against the offering of open learning approaches and related methodologies, and *vice versa*. The policies which exist, such as the Credit Accumulation and Transfer (CAT) policy, are enabling, but the implementation of these policies tends to be hampered by entrenched attitudes.

### 2.3.9 Recognition of prior learning and articulation

With the introduction of 'open learning' approaches in programmes and courses from national and registered international institutions, companies and organisations, the implementation of RPL has become more urgent than ever, to enable students to be acknowledged for what has been learnt through such programmes or courses, or through any other system, irrespective of the mode of provision.

The Minister has published the *RPL Co-ordination Policy* (No 381, Government Gazette No 39876, 31 March 2016), which is a clear statement and indicator that supports and recognises the need to open access to education for students, and acknowledges that RPL is an important component of addressing this need. SAQA has published the *National Policy for the Implementation of the Recognition of Prior Learning* (2014), which provides for the operational implementation of RPL by the three QCs, professional bodies and education and training institutions. The three QCs will need to align their RPL policies within these policy frameworks.

Many institutions have policies on RPL for admission to, and advanced standing within, a qualification. Candidates entering a programme, who have completed online courses, should be provided access through RPL.

### 2.3.10 Quality assurance mechanisms

The QCs have the executive responsibility for quality assurance in education and training, and the promotion thereof. They develop and implement a system of quality assurance for education and training, including programme accreditation, institutional audits, quality promotion and capacity development, standards development and the implementation of the relevant Qualifications Sub-Framework. The QCs also have a responsibility to ensure that online course and programme offerings through various blended learning and delivery methodologies should be accredited in order to promote quality education and training in South Africa.

### 2.3.11 Technology-enhanced learning, and information and communication technologies

The *White Paper on e-Education* (2004), which addressed e-learning for the school and post-school sectors, saw ICT and e-learning as critically important tools in the struggle against poverty, underdevelopment and

marginalisation (p 10), and drew attention to the inequalities between those with access to ICT and those with little or no access. Developments in ICT would create access to learning opportunities, remove barriers to learning, redress inequalities, improve the quality of learning and teaching, and deliver lifelong learning – all principles of open learning. In addition this White Paper saw e-Education as more than developing computer literacy and the skills needed to operate various types of ICT; it needed to support larger systemic, pedagogical, curricular and assessment reforms that would facilitate improved education and advance higher order thinking skills. e-Learning would not replace teachers, but would rather enhance the quality and reach of their teaching if it was thoughtfully selected and integrated into educational planning and management.

### **2.3.12 Cross-border education**

Because the development of the internet and associated telecommunication avenues affords almost instant access to a huge amount of information, the way is open for formal learning programmes and other learning resources to be distributed on a global scale. Unfortunately, it also opens the way for opportunistic purveyors of dubious information as well as those who unscrupulously exploit the unwary.

Open learning greatly increases the possibility of cross-border offerings, both for the offering of programmes and courses to South African students by providers outside South Africa, and for the provision of courses and programmes beyond South Africa's borders by South African institutions. Although online programme offerings have to be seen as a viable mode of provision, the provision in South Africa by private and foreign institutions or companies must be regulated in accordance with South African law. Likewise, programme and courses offered outside of South Africa's borders by South African-based institutions must be properly regulated by the appropriate bodies in South Africa.

In the *White Paper for Post-School Education and Training* (2014), the DHET commits to supporting the international exchange of research, scholarship, academics and students, as well as academic partnerships between South African and other universities.

According to the *Policy for the Provision of Distance Education in South African Universities in the Context of an Integrated Post-School System* (2014), the DHET is in a process of developing an agreed framework of principles and guidelines for action by all bodies and institutions in South Africa concerned with offering and receiving cross-border university education, and offering joint degrees within a range of diverse partnership models. It is further recommended that cross-border education be aligned to the new policy on internationalisation of higher education.

### **2.3.13 Gaps and duplication**

The DHET acknowledges that there are gaps and duplication in the legislative and policy environment when specifically looking at open learning. The DHET will carefully analyse the environment, make recommendations for streamlining legislation and policies, and address the gaps that exist.

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### **3. Strategic intent**

#### **3.1 Vision and outcomes espoused in the policy framework**

The DHET's vision is a South Africa in which we have a differentiated and fully-inclusive post-school education and training system that allows South Africans to access relevant, quality post-school education and training, in order to fulfil the economic and social goals of participation in an inclusive economy and society. In line with the DHET's vision, open learning has four outcomes:

- i. open learning principles are progressively harnessed in all PSET institutions;
- ii. ICT is used as an enabler for teaching and learning in PSET;
- iii. high quality, shared teaching and learning resources are increasingly available as OER; and
- iv. learners in the PSET system are provided with an efficient open learning system with viable options for learning.

Therefore the overarching open learning policy goal is to support the development and expansion of a post-school education and training sector based on open learning principles, which will complement rather than replace traditional classroom/campus-based provision. The policy framework steers the sector towards making increasing use of cost-effective modalities conducive to open learning, in the interests of increased *access* (translating into increased enrolments) and increased *success* (translating into improved throughput, success rates and employability), without sacrificing learning quality. These modalities should be used in ways that are responsive to the contexts of the learner and the workplace, in as many disciplines, programmes and courses as possible.

The policy framework mandates the setting up of a network of educational institutions, complemented by a network of learning support centres enhanced by internet connectivity for learners and staff. These networks will make available a wide range of learning opportunities to potential learners, closer to their homes and at times and dates appropriate to their individual circumstances. It will also make more efficient use of existing infrastructure, make well-researched, high-quality open education resources (or OER) nationally available, and lay increasing emphasis on independent study as preparation for subsequent lifelong learning.

#### **3.2 Strategic objectives of the policy framework**

The strategic objectives direct the DHET to the implementation of open learning approaches in the PSET system.

##### **3.2.1 Develop an enabling environment for open learning provision in PSET**

The DHET will take forward the current transformation of distance education in South Africa within the context of open learning as rapidly as possible. This embraces a range of elements including:

- i. a model for open learning that ensures increased access to high quality programmes that are cost-effective and give learners a fair chance of success;
- ii. a policy environment conducive to open learning;
- iii. ICT used in a progressive and effective way to support open learning;



- iv. an assessment and examination regime that ensures integrity and credibility, especially for TVET and CET colleges, and that accommodates open learning contexts;
- v. recognition of prior learning, articulation and quality assurance in an open learning context; and
- vi. diverse funding strategies supporting open learning across the PSET system.

These elements are spread across the strategic objectives of this policy framework.

#### **(a) Address legislation, policy and practice**

According to the National Education Policy Act (No. 27 of 1996) the Minister is empowered and mandated to determine national education policy as well as institutional policies in accordance with the provisions of the Constitution and this Act. This policy framework is the first attempt to provide an overarching policy environment conducive to open learning at national and institutional levels.

The Minister has already published a policy statement on the provision of distance education in universities. However, the legislative and policy environment across the PSET system supporting broader open learning approaches is uneven and gaps, inconsistencies and duplication exist.

The DHET will:

- i. develop an open learning model for PSET;
- ii. do an environmental scan of legislation, policies and practices in the PSET system and identify gaps, inconsistencies and duplication related to open learning;
- iii. complete the legislative and policy environment that will guide and standardise the provision of open learning across the entire PSET system;
- iv. embed open learning in the national quality assurance system for PSET. This includes the revision and implementation through the QCs, of the quality standards for distance education published in *A Distance Education Quality Standards Framework for South Africa* in 1996;
- v. use open learning approaches to recognise prior learning and facilitate articulation where gaps exist, in particular taking account of non-formal learning such as that recognised by means of digital badges;
- vi. initiate the establishment of key structures for the successful implementation of open learning;
- vii. initiate research and development on open learning, help build a network of public and private open learning institutions and practitioners, and facilitate their efforts to translate open learning principles into effective practice;
- viii. stimulate ongoing debate around open learning and related issues among all people involved in education; and
- ix. monitor and evaluate the application of open learning approaches and distance education methodologies.

#### **(b) Standardise quality assurance across post-school education and training**

Quality assurance is an imperative across PSET, irrespective of the mode of delivery. Quality assurance of open learning approaches and related modalities are not different from the quality assurance of any institution,

qualification, programme or course. The same principles and activities apply, regardless of the mode of delivery. However, the DHET, SAQA and the three QCs have to accommodate new ways of teaching and learning such as massive online open courses (MOOCs) and e-learning in their quality assurance practices.

The DHET will work with the three QCs to assist institutions in the implementation of quality open learning, including the adaptation of quality assurance mechanisms for open learning. These measures will complement the normal monitoring and assessment roles and activities of the QCs in the PSET sector, including institutional audits and programme accreditation. Common indicators will be developed and agreed on to measure and report on the progress in the achievement of open learning in PSET.

This mechanism will also be used to make recommendations on how to improve the implementation of open learning in PSET institutions. Rather than developing discrete measures of quality for open learning practices, the generic core criteria and other instruments used in audit and accreditation processes will be augmented by additional guidelines specific to these forms of learning (as has already been done for universities in the CHE's *Distance Higher Education Programmes in a Digital Era: Good Practice Guide and Accreditation Criteria*).

**(c) Develop and establish a national open learning system**

Traditional institutional-based, face-to-face methodologies will not be able to respond to the expansion of the PSET system envisaged in the 2014 *White Paper for Post-School Education and Training*. Furthermore, the costs associated with traditional teaching and learning pose a significant barrier to learners that want to enter, or are in the system. An environment for open learning has to be created by organising multiple options and distributed provision of learning opportunities, enabling learners to succeed who would otherwise be unable to participate in the PSET system.

The development of a National Open Learning System (NOLS) is key to increasing access to learning opportunities for South Africans.

The NOLS is a system that:

- i. contains high quality, self-directed, interactive learning materials (online or offline) that enable learners to select and complete modules, including robust formative assessment;
- ii. tracks learner progress and achievement;
- iii. recognises prior learning, and identifies gaps in learners' knowledge or skills prior to doing a module;
- iv. makes available post-assessments for evaluating attainment of learning outcomes and obtaining recognition of learning (in the form of digital badges);
- v. links to learner support such as telephone/online support, ICT support and support centres providing a supportive 'home' for distance learners;
- vi. links to institutions to enable practical learning and assessments;
- vii. links to workplaces to enable work-integrated learning; and
- viii. prepares learners for formal assessment such as examinations and trade tests to obtain qualifications.

It will furthermore provide opportunities for the collaborative development, use and re-use of interactive learning materials available as open educational resources.

The DHET will develop the NOLS.

Programmes and courses will be made systematically available through the NOLS, based on the needs and priorities of the PSET system. The DHET's branches will be actively involved through a NOLS Steering Committee in identifying priorities, developing funding mechanisms and monitoring the implementation of the NOLS.

The DHET, through collaboration with PSET institutions, experts, industry, entities and associations/formations will develop learning opportunities with high quality open learning materials that will be made available as OER on the NOLS.

Materials and courses on the NOLS will:

- i. systematically and coherently cover the requirements of the identified qualifications, especially the newly registered National Occupational Qualifications;
- ii. be activity-driven to encourage the active engagement of learners in their own learning;
- iii. be designed to promote independent study;
- iv. build in a range of learner support mechanisms, and where appropriate include opportunities to interact with fellow learners and, where possible, with staff;
- v. include regular formative and summative assessment;
- vi. be quality assured from the outset, including experimental trialling; and
- vii. be made available through open licensing as OER.

Any institution will be able to use, adopt or adapt these materials for any mode of not-for-profit provision.

Learners will be able to progress through programmes and courses on the NOLS, their prior learning will be recognised, their learning will be recorded, and they will be prepared for registration and formal assessment at a relevant institution for obtaining a formal qualification if this is their wish.

### **3.2.2 Apply open learning approaches in PSET institutions**

Current provision in PSET institutions is limited, and is not able to respond to demands for increased access to a diverse range of education and training opportunities due to infrastructure and resource constraints. Therefore current PSET institutions have to apply flexibility in their modes of provision.

#### **(a) Institutionalise open learning**

Diversity of provision is seen in the 2014 *White Paper for Post-school Education and Training* as a strategic enabler to improve access to, and success in, learning across the PSET system. The deployment of open learning approaches and related modalities in PSET institutions cannot be left to chance in the hope that it will happen. It is important for the DHET and PSET institutions to share the same understanding of open learning and how it applies to teaching and learning.

The DHET, together with institutions, will develop and implement an Open Learning Communication Strategy that will promote open learning, and enable PSET institutions not only to understand its nature and value within their institutions, but also to build capacity in the application of open learning approaches. This includes stimulating continuing debates on the use of the media and assuming responsibility for the development of a specific media-related policy.

An effective open learning environment requires the use of teaching and learning strategies that incorporate quality self-directed and learner-centred learning as part of the pedagogical design. PSET institutions therefore have to grapple with issues such as the active engagement of students, appropriate learning resources to support more independent learning, the development of staff to enable effective teaching and learning through online provisioning, support for students, appropriate technologies and media, and assessment strategies with a strong emphasis on timeous, formative feedback.

Although some PSET institutions have already implemented open learning approaches at various levels, there is a need for continuous professional development. This includes understanding the basics of open learning, change management, effective and appropriate pedagogy, and the development of high quality, self-directed learning materials and courses, learner support and assessment.

It is necessary for the DHET and institutions to provide leadership in the development of appropriate management, administration, teaching and learning to bring about change and apply open learning approaches.

Institutions will:

- i. critically review and improve their current *modus operandi* to increase access to quality provision within a resource-constraint environment; and
- ii. report on implementation within existing monitoring and evaluation frameworks and tools.

The DHET will:

- i. support institutions in the development of a review and improvement model; and
- ii. together with institutions, invest in professional development programmes in various aspects of open learning, including distance education delivery and course design using open education resources.

#### **(b) Adopt diverse modes of delivery**

The *White Paper for Post-School Education and Training* (2014) acknowledges that to date, conceptions of how learning programmes are designed and delivered have tended to be restricted to a choice between face-to-face (classroom-based) programmes and programmes offered at a distance. Increasingly there is a need to consider mixed-mode and blended programme delivery, with the 'mix' being determined by the needs and the contexts of learners as well as the requirements of the curriculum.

Institutions have to have a contextual understanding of the needs of different learners, and the benefits and demands of different modes of delivery. Institutions will give careful consideration to mixed-mode and blended programme delivery, and apply it within their own context.

The DHET will provide support to institutions in implementing a diverse range of delivery modes.

**(c) Establish a network of high quality providers**

The successful and cost-effective implementation of open learning approaches requires sharing and collaboration within a network of institutions. According to the *White Paper for Post-School Education and Training* (2014), the DHET expects that institutions will collaborate in sharing infrastructure, learning resources and staff capacity in order to improve access, quality and cost-effectiveness of provision. This includes groups of institutions collaboratively developing and delivering programmes. Such a network will provide a wide range of learning opportunities to more students, but also allow for students to study closer to their homes, and at times appropriate to their contexts. Other advantages include the development and availability of well-researched, high quality national learning resources (made available as OER – see Section 3.2.5), and more efficient use of existing infrastructure.

The DHET expects institutions to offer a limited range of programmes in order to ensure that economies of scale enable them to be delivered at significantly lower cost than face-to-face alternatives, without compromising quality. Measures such as Programme and Qualification Mix (PQM) planning will be put in place across the PSET system to address unnecessary duplication of public provision in some areas at the expense of a lack of provision in others.

PSET institutions are expected to collaborate in:

- i. sharing experience and expertise;
- ii. developing and delivering programmes;
- iii. developing and sharing infrastructure, learning resources and ICT;
- iv. establishing or supporting learning support centres; and
- v. mentoring learning centre personnel.

The DHET will support institutions to collaborate within and across sectors (universities, TVET and CET colleges, skills providers and industry), in designing, developing and providing programmes, including professional development in course design, materials development and administration/management required in open learning.

In specific the DHET will establish collaboration networks to develop open learning courses and materials for TVET and CET college lecturers that can be offered by different universities.

**3.2.3 Create a post-school distance education landscape based on open learning principles**

The *White Paper for Post-School Education and Training* (2014) states that: 'The DHET will work toward creating a post-school distance education landscape based on open learning principles. This landscape will complement the traditional campus-based provision.'

Distance education provision has to rise to the multiple challenges of:

- i. providing greater access (in terms of both numbers and diversity);
- ii. offering students a reasonable expectation of turning access into success;
- iii. providing courses or programmes of proven quality; and

- iv. ensuring that these are also affordable.

Therefore the DHET supports the offering of distance education in PSET institutions in an integrated, planned and systematic way.

Work still needs to be done in terms of:

- i. using distance education methodologies for TVET and CET colleges;
- ii. exploring ways to accommodate practical and work-based learning components for distance education students, particularly in TVET and CET, and particularly where adequate or suitable facilities are lacking on campus or in the particular vicinity;
- iii. improving throughput and success in distance education;
- iv. providing adequate support to distance education learners;
- v. developing an assessment and examination regime which accommodates distance education contexts, especially for TVET colleges; and
- vi. building the capacity of PSET institutions to administer, manage, offer and support distance education.

**(a) Implement sectoral models for distance education provision in PSET**

Distance education is widely used in planned and coordinated ways in universities. Higher Education has an implementation policy for distance education, includes it as part of their PQM planning, and reports on the application of distance education methodologies annually. It focuses primarily on steering mechanisms viz. planning, funding arrangements and quality assurance. Similar arrangements do not exist for TVET and CET colleges, or private higher education institutions and colleges.

The DHET will:

- i. develop a distance education model and policies for TVET and CET colleges;
- ii. initiate the establishment of key structures for the successful implementation of distance education; and
- iii. participate in the development of infrastructure (administration systems, learner support centres and ICT) necessary for the successful implementation of programmes across the PSET sector using distance education methods.

**(b) Support distance learners**

One of the fundamental principles of open learning is the provision of learner support. Most learners require extensive support in their learning endeavours as well as engagement with experts and peers in order to be successful. The mere act of making learning materials available does not in itself constitute an open learning opportunity. In South Africa, with its particular legacy of unequal access to learning opportunities and quality teaching and learning materials, the need for comprehensive learner support is particularly critical.

Student support covers four elements, namely academic support, counselling support, administrative support and ICT/technology support:

- i. Academic support includes a wide variety of instructional methods, educational services or educational resources provided to learners to help them accelerate their learning progress, catch up with their peers,

meet learning standards, or generally succeed in their learning endeavours, such as face-to-face tutorials, telephonic support, remedial interventions and library services. In TVET and CET colleges particular support should be given in key subject areas such as Mathematics and foundational programmes;

- ii. Counselling support includes career guidance, study skills and computer skills training and assistance for students facing crisis situations and adjustment issues;
- iii. Administrative support includes timely, accurate and accessible information to assist the learning process;
- iv. ICT/technology support includes access to technology and directions for using essential tools like email and chat.

The DHET expects PSET institutions to pay particular attention to the provision of adequate student support in addressing open learning approaches and distance education methodologies. Specific attention will be given to learner support centres. Government, institutions and community-based organisations have already established a variety of multi-purpose centres of various kinds in local communities that can immediately serve as sites for learner support or provision of distance education programmes. These could provide educational, administrative and logistical support, as well as access to digital and online materials, including access to the NOLS and online library services. They could also be used for contact sessions, particularly in the evenings, over weekends and during school holidays, as well as for supervised assessment in compliance with regulations governing summative assessment in TVET.

Existing and new centres will form a network of learner support centres across the country. The DHET will, together with institutions, develop a sound business model for learner support centres.

Strategic partnerships will be established to extend provision of centres in strategic localities remote from, or under-served by, PSET institutions.

Inter-institutional co-operation in the facilitation of learner support, coupled with sharing high quality resources, is particularly important when implementing distributed learning. Such co-operation will be fostered.

The functionality of selected public libraries can be extended at minimal cost to establish learning support centres on their premises, and in some cases librarians could be re-trained to staff such extended institutions, offering assistance in activities such as writing skills, group learning and co-operative learning.

Internet connectivity and bandwidth are particularly lacking in vast areas of rural South Africa. The establishment of a network of ICT-enabled learning support centres will play an essential role in bringing reliable internet connectivity to a growing number of learners, opening up an array of open and online education and training to many who would otherwise be deprived of it.

### **(c) Assure quality of cross-border distance education**

The development of the internet and associated telecommunication avenues opens the way for formal and informal learning courses/programmes to be distributed on a global scale. Learners can access courses/programmes from international providers, and South African institutions can participate globally.

Unfortunately, this globalisation of learning also opens the way for opportunistic purveyors of dubious courses/programmes, as well as those who unscrupulously exploit the unwary.

The *White Paper for Post-School Education and Training* (2014) sees the regulation of cross-border distance education programmes as being 'as important as any regulation that occurs within our borders', and commits to supporting the international exchange of research, scholarship, academics and students, as well as academic partnerships between South African and other universities. According to the *Policy for the Provision of Distance Education in South African Universities in the Context of an Integrated Post-School System* (2014), the DHET is in a process of developing an agreed framework of principles and guidelines for action by all bodies and institutions in South Africa concerned with offering and receiving cross-border university education, and offering joint degrees within a range of diverse partnership models. This framework will be extended to include TVET and CET colleges.

The DHET will continue to pursue and honour inter-governmental agreements designed to curb fraudulent or inferior distance education at source, and to ensure that providers of cross-border education meet acceptable criteria and are subjected to suitable quality assurance supervision in their home countries.

The DHET will ensure that:

- i. cross-border education and training regulations are in place, transparent and enforced;
- ii. full, clear and correct information is available to learners;
- iii. qualifications are transparent, and institutions co-operate fully in verifying qualifications and disqualifying fraudulent documents;
- iv. effective quality assurance processes are in place; and
- v. DHET and distance education providers maintain a collegial dialogue on the subject locally and internationally.

The DHET, SAQA and the three QCs undertake to review the existing mechanisms aimed at ensuring that providers of cross-border education and training meet acceptable criteria and guidelines for cross-border distance education.

#### **3.2.4 Improve access to information and communication technology as an enabler for distance education**

The globalised world has already reached the stage where ICT are virtually indispensable for meaningful participation in modern life, including in education and training. Institutions are making increasing use of modern ICT to develop and offer learning programmes. However, reliable connectivity and access to maintained and compatible ICT are extremely unequal across the population, and institutions are not optimally collaborating and sharing ICT infrastructure.

According to the National Integrated ICT Policy White Paper (2016) the South African Government's goal is to 'ensure (that) everyone, regardless of who they are (therefore all PSET learners), where they live or their social or economic standing, can benefit from the opportunities offered by ICT, either on an individual or shared basis'.



Recent increases in the availability of bandwidth, cloud services and affordability of end-user mobile devices such as laptops, tablets and smartphones encourage the hope that this goal may be attainable. To extend this sort of infrastructure to all PSET learners remains a challenge.

The *National Integrated ICT Policy White Paper* (2016) provides for innovative funding strategies, including the implementation of an e-Rate (a discount of at least 50% on Internet services provided) to public TVET and CET colleges and higher education institutions, as well as the establishment of a Digital Development Fund (Digital-DF) to 'extend access to digital government services, including e-education programmes. This could include support for extending access through public "hot spots" via public entities.'

In the 2014 *White Paper for Post-school Education and Training*, the DHET expresses its intension to improve ICT access by:

- i. developing an integrated ICT plan that will provide strategic direction for the improvement of equitable access to and use of appropriate technology across the post-school education and training system;
- ii. prioritising collaboration with the Department of (Telecommunication and Postal Services) Communications and other government departments and stakeholders to facilitate increased bandwidth and reduced costs for educational purposes, with particular emphasis on reaching those in more remote areas;
- iii. engaging with stakeholders to negotiate easier access to and reduced costs for Internet-enabled devices;
- iv. bidding for funds to ensure that a comprehensive, enabling ICT infrastructure is put in place for all post-school institutions, particularly providers of distance higher education; and
- v. facilitating the shared establishment and management of ICT-enabled, networked learning support centres in areas where home-based provision is likely to be difficult in the short to medium term.

In order to remain relevant and to accommodate the increasing demands of modernisation, institutions have to maximise the use of appropriate digital technology; collaborate and share infrastructure; embrace OER and the sharing of materials and resources; and build staff capacity in the use of ICT for teaching and learning.

The DHET and institutions will work towards affordable/free broadband connectivity on-campus for all learners and staff.

The DHET will:

- i. review and align the ICT legislative and policy environment in support of the PSET system;
- ii. develop an integrated ICT plan for the PSET system that is aligned to the national e-Skills Plan and the *National Integrated ICT Policy White Paper* (2016) of the Department of Telecommunication and Postal Services (DTPS);
- iii. work with the Department of Science and Technology (DST) and DTPS to extend the South African National Research and Education Network (SANREN) into all public TVET and CET colleges and higher education institutions to provide broadband access to all PSET institutions and campuses;
- iv. work collaboratively with the PSET community so that staff and learners in public PSET institutions have access to affordable mobile devices;

- v. develop a strategy to support TVET and CET colleges with expertise to develop, manage and maintain campus and institutional ICT infrastructure;
- vi. enable the development of institutional, inter-institutional and learner support centre ICT policies and plans (aligned to national policies) with appropriate financing strategies. These policies also include user security and protection of personal information (according to the Protection of Personal Information Act (Act No 4 of 2013) policies; and
- vii. facilitate the professional development of managers, administrators, support personnel and lecturers in the use of ICT for teaching and learning as well as the management of ICT for teaching and learning.

### **3.2.5 Make high quality, shared teaching and learning resources available as open educational resources**

The effectiveness of open learning is mainly based on the provision of high quality teaching and learning resources across the system. In order to make this endeavour cost-efficient, the collaborative development and sharing of well-designed, quality teaching and learning resources as OER is paramount in open learning. One of the critical success factors to this end is the adoption of an effective resource development model and related policies for the PSET system.

Open Licences have been developed to ensure that copying and sharing happen within a structured legal framework that is more flexible than the traditional 'all rights reserved' status of copyright. This allows for more flexible use, re-use and adaptation of materials for local contexts and learning environments, while still allowing authors to have their work acknowledged.

The DHET supports investing in the design and development of high quality learning resources as a strategy for increasing, and assuring the quality of, provision in the entire PSET system.

The DHET will:

- i. develop, in consultation with stakeholders, an enabling policy environment for the development, use and distribution of OER;
- ii. facilitate the process of collecting and compiling available OER in the PSET sector, including all publicly initiated and funded PSET materials, in repositories to serve the PSET system;
- iii. provide support for the production and sharing of learning materials as OER in institutions in the PSET system. In particular, all materials developed by the DHET and institutions through public and donor funding will be made available as OER;
- iv. invest in materials development and ensure that high quality teaching and learning resources will progressively be made freely available as OER to use, re-use and repurpose. To this end the DHET will develop a materials development model that will make use of content experts in institutions, academia and industry (where appropriate), coupled with experts in materials design and development;
- v. consider adopting open standards for materials produced by government, agencies and institutions receiving government support for developing publications, to ensure full access to and use/sharing of resources, spanning both research and educational publications;

- vi. develop an appropriate licensing framework for use by the DHET and institutions within an overarching policy framework of intellectual property rights and copyright in the PSET system;
- vii. contribute to raising awareness of key OER issues. These could include writing up and sharing case studies of good practice to support implementation efforts, assisting stakeholders to understand issues around Intellectual Property Rights (IPR), open licencing, quality in OER, and how IPR are being challenged and reshaped by the rapid digitisation and online sharing of information and resources;
- viii. consider the development of OER as one of the priorities for recognising staff excellence in PSET institutions; and
- ix. support the sustainable development and sharing of quality learning and teaching materials.

### 3.3 Advocacy and communication

As recognised in the strategic objectives of the policy framework (see 3.2.2a), all facets of open learning have to be advocated and communicated within and beyond the PSET system in order to make effective use of open learning approaches to increase access to, and improve the quality of, PSET offerings in cost-efficient ways.

The DHET will develop, in consultation with stakeholders, an open learning advocacy and communication strategy at national level.

Institutions, as part of their implementation, will also embark on extensive advocacy and communication of open learning, firstly internally (management, administration, staff), and to learners, prospective learners, parents and the broader community.

The DHET and institutions will work together to ensure that everyone understands the advantages and the implications of open learning and its related areas.

## **4. Monitoring and evaluation**

As a principle-based approach, open learning is in itself difficult to quantify and therefore to monitor and evaluate its implementation. The evidence for open learning manifests itself in the extent to which the principles which constitute open learning (see paragraph 2.1.2) are being implemented. Open learning is further manifested in specific modalities of provision such as distance education, technology-enhanced learning, online learning and blended learning.

However, evidence-based decision making has become an indispensable practice universally because of its role in ensuring efficient management of population, economic and social affairs. Policy improvement cannot bear fruit without systematic and consistent measurement of the inequality gap.

The DHET is committed to the implementation of the open learning principles, and data on its implementation will be collected and aggregated in order to monitor and evaluate the systemic implementation of open learning in the PSET system.

### **4.1 Monitoring and evaluation instruments**

The DHET, within the first two years of implementation of this policy framework, will initiate the process of developing an Open Learning Implementation Index and an Open Learning Review and Improvement Model (OL-RIM), open learning indicators as well as a standardised process of collecting and reporting on progress. Through these two instruments, the implementation of open learning in institutions will be monitored and evaluated.

#### **4.1.1 Open learning indicators**

Open learning indicators will be developed and monitored within existing monitoring and evaluation frameworks and tools such as the regulations governing reporting of higher education institutions, Higher Education Act (Act No 101 of 1997), section 41 read with section 69, as published in Government Gazette No. 37726 Notice No 464 of June 2014. This will enable the DHET to receive reports from public universities. Currently universities are reporting annually to the DHET as prescribed by the Regulations for Reporting by Public Higher Education Institutions.

Open Learning performance indicators will be included as part of the governance and teaching and learning indicator process.

The same process will apply to public TVET and CET colleges. In terms of Section 12(1) of the CET Act (Act No 16 of 2006), College Councils are encouraged to establish special sub-committees. One of the sub-committees will be an Open Learning Sub-Committee that will support and monitor implementation of open learning at each college. TVET and CET colleges will follow a similar integrated reporting mechanism to that used by universities to report annually on national action plans on social inclusion.

The DHET and institutions will develop open learning indicators and monitor them within existing monitoring and evaluation frameworks and tools where they exist. Where indicators, frameworks and tools do not exist,

the DHET will develop such indicators, frameworks and tools in order to have a uniform monitoring system across the PSET system.

#### **4.1.2 Open Learning Implementation Index**

In order to realise the implementation of open learning in institutions, it is important that inequalities between institutions with regard to open learning be measured. An Open Learning Implementation Index (OLII) will be developed for measurement of the implementation of open learning in institutions. This index will provide a high-level quick scan of the level of implementation, with the explicit purpose of managing government performance more inclusively. It is a new concept and a pioneering initiative with no international comparison.

This index will be calculated and reviewed annually. There is a need to embark on the production of an analytical summary that reveals unique challenges and opportunities. This analytical work also enhances intellectual debates that are critical for policy review and interventions.

The OLII is not a substitute for the monitoring and evaluation frameworks that exist in PSET institutions, and should be embedded in the Government-Wide Monitoring and Evaluation System.

The DHET will initiate the development of an Open Learning Implementation Index (OLII) that will measure implementation of open learning in institutions.

#### **4.1.3 Open learning review and improvement model**

In the medium to long term, the effectiveness of the enabling environment that has been created will be constantly monitored and reported. The OLII will be used to develop an Open Learning Review and Improvement Model (OL-RIM).

The OL-RIM will respond to two realities, viz. the increasing emphasis on increased access to PSET, quality of PSET offerings, articulation and recognition for studies, and the high cost of conventional approaches to external quality assurance.

The OL-RIM will be designed to be high in effectiveness and low in cost, targeting decision makers at institutional level. The model has to be suitable for all PSET institutions of all types and sizes. It will be a self-administered approach which supports the institution in reviewing itself, with the recommended option of getting the institutional findings verified by a quality professional or even a panel of verifiers.

The DHET will initiate the development of an Open learning Review and Improvement Model (OL-RIM) that will support institutions in reviewing themselves in terms of open learning implementation.

### **4.2 Monitoring the implementation of the policy framework**

The above processes and instruments will also be used to monitor and evaluate the implementation of the policy framework. Systemic indicators will be identified to report on the PSET system's progress. It must be realised that the implementation of open learning is not a goal in itself; rather it addresses the bigger systemic issues of access, success, quality and cost.

## 5. Implementation

### 5.1 High level implementation strategy

A high level Implementation Strategy for Open Learning in the PSET system has been developed based on the strategic objectives in 3.2, the advocacy and communication outlined in 3.3, and the monitoring and evaluation framework outlined in 4. The implementation strategy outlines implementation over the short term (2018/9), Medium Term (to align it with the Medium Term Strategic Framework of Government: 2019/20 – 2021/2) and Long Term (up to 2030). The implementation strategy is only indicative, and a detailed implementation plan will be developed once the policy is published.

#### 5.1.1 Develop an enabling environment for open learning provision in PSET

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
(a) Address legislation, policy and practice	i. Develop an open learning model for PSET	DHET Institutions Entities SAQA 3 QCs			
	ii. Do an environmental scan of legislation, policies and practices in the PSET system and identify gaps, inconsistencies and duplication related to open learning	DHET			
	iii. Complete the legislative and policy environment that will guide and standardise the provision of open learning across the entire PSET system	DHET			
	iv. Embed open learning in the national quality assurance system for PSET. This includes the revision and implementation through the QCs, of the quality standards for distance education published in 'A Distance Education Quality Standards Framework for South Africa' in 1996	DHET SAQA 3 QCs			
	v. Use open learning approaches to recognise prior learning and facilitate articulation where gaps exist, in particular taking account of non-formal learning such as that recognised by means of 'digital badges'	DHET SAQA 3 QCs Institutions			

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
	vi. Establish key structures for the successful implementation of open learning	DHET			
	vii. Initiate research and development on open learning, help build a network of public and private open learning institutions and practitioners, and facilitate their efforts to translate open learning principles into effective practice	DHET Institutions Research Community			
	viii. Stimulate ongoing debate around open learning and related issues among all people involved in education	DHET Institutions Entities SAQA 3 QCs Research Community			
	ix. Monitor and evaluate the application of open learning approaches and distance education methodologies (see 4.1)	DHET Institutions Entities SAQA 3 QCs			
(b) Standardise quality assurance across post-school education and training	i. Assist institutions in the implementation of quality open learning, including the adaptation of quality assurance mechanisms for open learning	SAQA 3 QCs DHET Institutions Entities			
(c) Develop and establish a national open learning system	i. Develop the NOLS	DHET			
	ii. Make programmes and courses systematically available through the NOLS, based on the needs and priorities of the PSET system	DHET Institutions			
	iii. Establish a NOLS Steering Committee	DHET			
	iv. Develop learning opportunities with high quality open learning materials that will be made available as OER on the NOLS	DHET, through collaboration with PSET institutions, experts, industry, entities and associations/formations			
	v. Build in a range of learner support mechanisms	DHET Institutions			

## 5.1.2 Apply open learning approaches in PSET institutions

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
(a) Institutionalise open learning	i. Develop and implement an Open Learning Communication Strategy to understand open learning, its nature and value within institutions, and to build capacity in the application of open learning approaches (see 3.2.2a, 5.1.6)	DHET Institutions Government Communication and Information Services (GCIS)			
	ii. Provide guidelines for, and engage with institutions on, the development of particular programmes in appropriate modalities reflecting open learning, as well as enrolment planning processes that address national and student needs on the one hand, and institutions' capacity to deliver on the other (see 4.5)	DHET Institutions Entities SAQA 3 QCs SAIVCET			
	iii. Draft guidelines on partnerships and collaboration in open learning (see 5.3)	DHET SAQA 3 QCs			
	iv. Review and improve current <i>modus operandi</i> to increase access to quality provision within a resource-constraint environment	DHET Institutions			
	v. Report on implementation within existing monitoring and evaluation frameworks and tools (see 4.1, 5.1.7)	DHET Institutions			
	vi. Support institutions in the development of a review and improvement model (see 4.1.3, 5.1.7)	DHET			
	vii. Invest in professional development programmes in various aspects of open learning, including distance education delivery and course design using open education resources	DHET Institutions			
(b) Adopt diverse modes of delivery	i. Consider mixed mode and blended learning programme delivery and apply it within institutional contexts	Institutions			
	ii. Develop a supporting mechanism to institutions in implementing a diverse range of delivery modes, including draft guidelines on partnerships and collaborations in open learning (see 5.3)	DHET			
(c) Establish a network of high	i. Measures such as Programme and Qualification Mix (PQM) planning will be put in place across the PSET system to address unnecessary	DHET			



Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
quality providers	duplication of public provision in some areas at the expense of a lack of provision in others (see 3.2.2c)				
	ii. Collaborate in sharing experience and expertise; developing and delivering programmes; developing and sharing infrastructure, learning resources and ICT; establishing or supporting learning support centres; and mentoring learning centre personnel	DHET Institutions Entities			
	iii. Support institutions to collaborate within and across sectors (universities, TVET and CET colleges, skills providers and industry), in designing, developing and providing programmes, including professional development in course design, materials development and administration/ management required in open learning	DHET			
	iv. Establish collaboration networks to develop open learning courses and course materials for TVET and CET college lecturers that can be offered by different universities	DHET			

### 5.1.3 Create a post-school distance education landscape based on open learning principles

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
(a) Implement sectoral models for distance education provision in PSET	i. Develop a distance education model for TVET and CET colleges including an implementation policy for distance education in TVET and CET colleges (including private providers); using distance education methodologies for TVET and CET colleges; improving throughput and success in distance education; providing adequate support to distance education learners; adapting the assessment and examination regime, especially for TVET colleges, so that it accommodates distance education contexts; and building the capacity of PSET institutions to administer, manage, offer and support distance education	DHET			
	ii. Initiate the establishment of key structures for the successful implementation of distance education	DHET			
	iii. Participate in the development of infrastructure (administration systems, learner support centres and ICT) necessary for the	DHET			

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
	successful implementation of programmes using distance education methods.				
(b) Support distance learners	i. Develop a sound business model for learner support centres	DHET			
	ii. Form a network of learner support centres across the country, including existing and new centres	DHET Institutions Entities Local Government Government Departments			
	iii. Establish strategic partnerships to extend provision of centres in strategic localities remote from, or under-served by, PSET institutions	DHET Institutions Entities Local Government Government Departments			
	iv. Co-operation in the facilitation of learner support, coupled with sharing high quality resources	DHET Institutions Entities Local Government Government Departments			
	v. Train librarians/centre managers and personnel to offer assistance in activities such as writing skills, group learning and co-operative learning	DHET Institutions Entities Local Government Government Departments			
(c) Assure quality of cross-border distance education	i. Ensure that cross-border education and training regulations are in place, transparent and enforced	DHET SAQA 3 QCs			
	ii. Ensure that full, clear and correct information is available to learners	DHET Institutions SAQA 3QCs			

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
		Professional bodies and associations			
	iii. Ensure that qualifications are transparent and institutions co-operate fully in verifying qualifications and disqualifying fraudulent documents	DHET Institutions SAQA 3QCs			
	iv. Put effective quality assurance processes in place	DHET SAQA 3QCs			
	v. Maintain a collegial dialogue on the subject locally and internationally	DHET Institutions SAQA 3QCs Professional bodies and associations			
	vi. Review the existing mechanisms aimed at ensuring that providers of cross-border education and training meet acceptable criteria and guidelines for cross-border distance education	DHET SAQA 3QCs			

#### 5.1.4 Improve access to information and communication technology as an enabler for distance education

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
(a) Implement sectoral models for distance education provision in PSET	i. Demonstrate that institutions maximise the use of appropriate digital technology; collaborate and share infrastructure; embrace OER and the sharing of materials and resources; and build staff capacity in the use of ICT for teaching and learning	Institutions			
	ii. Review and align the ICT legislative and policy environment in support of the PSET system	DHET			
	iii. Develop an integrated ICT plan that will provide strategic direction for the improvement of equitable access to and use of appropriate technology across the PSET system	DHET DTPS DST			

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
	iv. Extend SANREN into all public TVET and CET colleges and higher education institutions to provide broadband access to all PSET institutions and campuses	DHET DTPS DST			
	v. Engage with stakeholders and the PSET community to negotiate access to Internet-enabled devices at reduced costs	DHET DST DTPS			
	vi. Develop a strategy to support TVET and CET colleges with expertise to develop, manage and maintain campus and institutional ICT infrastructure	DHET			
	vii. Enable the development of institutional, inter-institutional and learner support centre ICT policies and plans (aligned to national policies) with appropriate financing strategies	DHET Institutions Local Government Government Departments			
	viii. Facilitate the professional development of managers, administrators, support personnel and lecturers in the use of ICT for teaching and learning as well as the management of ICT for teaching and learning	DHET Institutions			

#### 5.1.5 Make high quality, shared teaching and learning resources available as open educational resources

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
(a) Make high quality, shared teaching and learning resources available as OER	i. Develop an enabling policy environment for the development, use and distribution of OER including the adoption of an effective resource development model and related policies for the PSET system	DHET			
	ii. Develop a structured legal framework that is more flexible than the traditional 'all rights reserved' status of copyright for the PSET system	DHET			
	iii. Facilitate the process of collecting and compiling available OER in the PSET sector, including all publicly initiated and funded PSET materials, in repositories to serve the PSET system	DHET Institutions			
	iv. Provide support for the production and sharing of learning materials as OER in institutions in the PSET system	DHET Institutions			

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
	v. Develop a materials development model making use of content experts and experts in materials design and development	DHET Institutions			
	vi. Invest in materials development and ensure that high quality teaching and learning resources will progressively be made freely available as OER to use, re-use and repurpose	DHET			
	vii. Adopt open standards for materials produced by government, agencies and institutions receiving government support for developing publications, to ensure full access to and use/sharing of resources, spanning both research and educational publications	DHET			
	viii. Develop an appropriate licencing framework for use by the DHET and institutions within an overarching policy framework of intellectual property rights and copyright in the PSET system	DHET			
	ix. Raise awareness of key OER issues (these could include writing up and sharing case studies of good practice to support implementation efforts, assisting stakeholders to understand issues around IPR, open licencing, quality in OER, and how IPR are being challenged and reshaped by the rapid digitisation and online sharing of information and resources)	DHET Institutions Professional Bodies Associations			
	x. Develop OER as one of the priorities for recognising staff excellence in PSET institutions	DHET			
	xi. Develop a sustainable model for the development and sharing of quality learning and teaching materials	DHET			

### 5.1.6 Advocacy and communication

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
(a) Ensure that all facets of open learning have to be advocated and communicated within and	i. Develop and implement an Open Learning Communication Strategy to understand open learning, its nature and value within institutions, and to build capacity in the application of open learning approaches (see 3.2.2a and 3.3)	DHET Institutions Other stakeholders			
	ii. Embark on extensive advocacy and communication of open learning, firstly within their own institution (management, administration,	Institutions			

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
beyond the PSET system	staff) and to learners, prospective learners, parents and the broader community (see 3.3)				

#### 5.1.7 Monitoring and evaluation

Objectives	Activities	Responsibility	Short Term 2017/8 – 2018/9	Medium Term 2019/20 – 2021/2	Long Term 2022 onwards
(a) Ensure that open learning implementation is monitored	i. Develop an Open Learning Implementation Index	DHET Institutions			
	ii. Support institutions in the development of an Open Learning Review and Improvement Model (OL-RIM) (see 4.1.2)	DHET Institutions			
	iii. Develop open learning indicators as well as a standardised process of collecting and reporting on progress (frameworks and tools)	DHET Institutions			
	iv. Report on implementation within existing monitoring and evaluation frameworks and tools (see 4.1)	DHET Institutions			

## 5.2 Co-ordination mechanisms

The DHET, through the Directorate: Open Learning, will provide strategic leadership in the implementation of open learning in the PSET system, working with PSET institutions. The DHET will devise deliberate steps to build and maintain a cohesive and efficient NOLS with its associated content/learning management system that reflects open learning principles as far as is appropriate for each type of need experienced by post-school learners. DHET will work with other government departments, agencies, organisations and institutions to carefully plan, communicate, implement, monitor and evaluate open learning in the PSET system.

In the short term (2018/9 – 2020/21), the DHET will work closely with institutions to develop and implement instruments to assist institutions in the increasing implementation of open learning. These include the establishment of networks of open learning providers, open learning courseware designers and materials developers, and learning support centres, as well as a PSET Open Learning Forum.

### 5.2.1 Policy instruments and steering mechanisms to be used in implementation

Existing mechanisms of institutional planning, funding arrangements and quality assurance will be used to create an enabling environment for the uptake of open learning, and to steer the entire post-school sector in a way that will encourage and stimulate the increasing use of open learning in distance, face-to-face contact and mixed modes of delivery. These steering mechanisms will be employed to encourage, incentivise and support institutions to increase and improve access to learning opportunities, removing as many barriers to such access as possible, and to assist institutions to construct high quality learning environments which take account of the learners' contexts and employ technology appropriately and efficiently.

### 5.2.2 The South African Institute for Vocational and Continuing Education and Training

The South African Institute for Vocational and Continuing Education and Training (SAIVCET) will be instrumental in providing necessary and appropriate support for the realisation of open learning and distance education in the TVET and CET college sectors. The Further Education and Training Colleges Amendment Act (Act No 1 of 2013), Sec 43B (b) and (c) directs SAIVCET to 'assist and support the Minister in the development of distance education and training, including open learning' and to 'assist and support colleges in the development of learning, teaching and assessment materials'. It also assigns the functions of research, innovation, promotion of dialogue and professional development to SAIVCET.

SAIVCET will therefore:

- i. develop an open learning and distance education model for TVET and CET colleges, including means of accommodating practical and work-based components for distance education students;
- ii. upgrade the technical knowledge and pedagogical skills of existing staff in TVET and CET colleges in open learning;
- iii. provide a forum for experts to develop open learning materials for TVET and CET college programmes;
- iv. advise the Minister on open learning and distance education in TVET and CET colleges;

- v. initiate research on open learning and distance education in TVET and CET colleges, and the college system as a whole;
- vi. promote dialogue and the co-ordination of open learning and distance education in TVET and CET colleges;
- vii. promote RPL through open learning; and
- viii. monitor and evaluate the application of open learning approaches and distance education methodologies in TVET and CET colleges.

### **5.2.3 National Open Learning Forum**

In order to support institutions in the implementation of open learning, the DHET will establish a National Open Learning Forum (NOLF) to:

- i. provide overall direction for open learning implementation in the country;
- ii. determine priorities for open learning implementation in the country;
- iii. advise the PSET system on implementation of open learning; and
- iv. drive the national advocacy and communication strategy for open learning.

This forum will establish, on a needs basis, sub-structures to drive and promote specific areas within open learning such as OER and open licencing; quality assurance and learner support, to name a few.

## **5.3 Institutional implementation**

The DHET, in collaboration with other entities and organisations such as SAQA, QCs and SAIVCET, will provide guidelines for, and engage with institutions on, the development of particular programmes in appropriate modalities reflecting open learning, as well as enrolment planning processes that address national and student needs on the one hand, and institutions' capacity to deliver on the other. These guidelines, together with historical data on student success and throughput rates, will influence decisions about the desirability and hence recognition of programmes of particular types, designations and modes of provision. Public institutions' PQMs and enrolment plans must be approved by the DHET prior to applications for programme accreditation through the relevant quality assurer.

Institutions may enter into partnerships to facilitate the provision of support for open learning. The obligations of such partners must be clearly spelled out. The DHET will draft guidelines on partnerships and collaborations in open learning. It is imperative that institutions have met all the quality assurance requirements of the relevant QC, and thereby take full responsibility for the quality of the learning programmes in question.

Provision of open learning will also necessitate appropriate staffing arrangements and the professional development of managerial and administrative as well as academic staff.

## **5.4 Funding**

The implementation of the policy framework will be part of the core activities of the DHET and institutions, and therefore be incorporated in the funding allocation for institutions. The DHET will determine funding norms and provide guidelines for funding open learning. The DHET will ensure that the funding of open learning, and of



distance education provision in specific, is based on empirical evidence of the relative costs of different modes of provision.

Open learning initiatives driven by the DHET such as the NOLS will be funded initially through the European Union Sectoral Support Programmes Budget. Funding has been secured for the implementation of the initial and second phases of the Open Learning initiative, up to 2025.

Measures will be taken early in implementation of the policy framework to ensure that open learning policies and practices gain a firm foothold in a number of TVET and CET colleges and universities, that initially limited open learning programmes and other initiatives are well-managed and sustained, and that the momentum toward further development and innovation is maintained.

Some of the DHET's strategic funding priorities will be to:

- i. modify the relevant budgetary frameworks and funding norms to recognise the importance and status of open learning, including the development of quality OER;
- ii. raise awareness of key open learning and OER issues;
- iii. review the funding formula which assumes a neat and obvious division between contact and distance education;
- iv. fund continued technical infrastructure development in order to allow for increased and enhanced access to programmes;
- v. support the sustainable development and sharing of quality learning materials as OER; and
- vi. review National Student Financial Aid Scheme (NSFAS) funding in order to facilitate the appropriate support of learners availing themselves of open and distance learning opportunities.

The DHET accepts that the although open learning and distance education may be accompanied in the long term by financial advantages accruing from expanded enrolments and relatively low expenditure on new physical infrastructure, the initial costs of establishing the necessary ICT networks, software and other infrastructure, in addition to the heavy cost of course and materials development for quality self-directed learning, tend to outweigh any shorter-term cost benefits. Integrated budget planning and carefully monitored and reviewed expenditure will therefore be needed.

## **5.5 Reviewing the policy framework**

As outlined in paragraph 3.5, the developed instruments will be used to monitor the implementation of the policy framework over a period up to 2030 to align it with the goals of the *White Paper for Post-School Education and Training* (2014). The policy will be reviewed every five years after implementation commences.

## **5.6 Effective date of the policy**

The policy will come into effect on the date of publication in the Government Gazette.

## 6. Conclusion

As pressure mounts, at times dramatically, for increased access to affordable post-school education and training in a context of fiscal stress and global economic uncertainty, many South Africans look to e-learning, online learning, distance learning and open learning to provide at least partial solutions. Although they often overlap in practice, each of these forms of education has in itself a different type of contribution to make.

Open learning has the potential to open up new avenues of access to learning, and to make learning a more engaging and intrinsically rewarding experience for those who can have sustained access to it. Distance education is well-known for increasing the educational reach of institutions, and for providing learning opportunities to many who would otherwise be deprived of formal learning. Like distance education, open learning focuses directly on making access to learning a primary goal, and may use the benefits of e-learning and online learning to achieve this end. Open learning, however, is driven by a concern for social justice and therefore motivated by the need for redress, equity in access to opportunity, flexibility and choice, and by an equal concern for quality and real success in learning.

All of these forms of education need to be carefully planned, selected and implemented with pedagogic effectiveness and appropriateness in mind as the first consideration, and not as an afterthought subordinate to the need for a healthier balance sheet, or to the desire to be known for being equipped with the most up-to-date technological aids.

**DEPARTMENT OF HIGHER EDUCATION AND TRAINING****NO. 336****07 APRIL 2017****CORRECTION NOTICE: NORTHWEST UNIVERSITY STATUE NO. 40711 PUBLISHED ON THE 24<sup>TH</sup> OF MARCH 2017; PAGE 31. DISCIPLINE (PARAGRAPHS 71 – 76)****Discipline**

- 71.(1)** A student is subject to the disciplinary rules and procedures applied by the appropriate disciplinary bodies contemplated in paragraph 73 in accordance with the statute and the rules.
- (2)** The vice-chancellor must at least once a year submit a report to the senate and the council on the disciplinary measures taken against students.

**Misconduct**

- 72.** A student commits misconduct if –
- (a)** the conduct of the student is detrimental or may be detrimental to the good name, order, discipline or performance of the university;
  - (b)** the student contravenes the statute, the rules, the constitution or the rules of a body within the university, or the law;
  - (c)** the academic conduct of the student is dishonest;
  - (d)** the student harasses or treats another person or group of persons violently or with hostility; or
  - (e)** the student damages property or assets of the university.

**Disciplinary bodies**

- 73.(1)** The vice-chancellor is the chief disciplinary officer of the university in respect of students.
- (2)** **(a)** The vice-chancellor must, after consultation with the senate, the SRC and the institutional forum, and in accordance with the statute and the rules, establish appropriate disciplinary bodies of the university and determine their authority, composition and procedures.
- (b)** The authority, composition and procedures of every disciplinary body must be published and made available on request.
- (3)** Every disciplinary body must report all disciplinary action taken by it to the vice-chancellor.

**Disciplinary procedures**

- 74.(1)** A complaint concerning an alleged misconduct by a student must be reported to the vice-chancellor or his or her delegate, who must deal with such complaint in accordance with the procedures referred to in paragraph 73(2).
- (2)** A student charged with an alleged misconduct is entitled to a fair hearing by the appropriate disciplinary body, which conforms to the requirements of the Constitution and the law.

**Sanctions**

- 75.** A disciplinary body may impose any of the sanctions provided for in the rules.

**Appeals**

- 76.** A student found guilty of misconduct by a disciplinary body may appeal to the relevant appeal body against the finding or the sanction, or against both the finding and the sanction, in accordance with the rules.

## DEPARTMENT OF HIGHER EDUCATION AND TRAINING

NO. 337

07 APRIL 2017

**HIGHER EDUCATION ACT, 1997 (Act No. 101 of 1997)****INSTITUTIONAL STATUTE: CENTRAL UNIVERSITY OF  
TECHNOLOGY**

I, Dr Bonginkosi Emmanuel Nzimande, MP, Minister of Higher Education and Training, in accordance with section 33 (1) of the Higher Education Act, 1997 (Act No. 101 of 1997), hereby publish the Institutional Statute of the Central University of Technology set out in the Schedule hereto.

**Dr BE Nzimande, MP****Minister of Higher Education and Training****Date:**

16/03/2017



Central University of  
Technology, Free State

# **AMENDED STATUTE OF THE CENTRAL UNIVERSITY OF TECHNOLOGY, FREE STATE**

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**AMENDED INSTITUTIONAL STATUTE****CHAPTER 1****DEFINITIONS AND APPLICATION****1. Definitions**

In this Statute, any word or expression to which a meaning has been assigned by the Higher Education Act, 1997 (Act No. 101 of 1997), as amended, has the meaning so assigned to it, unless the context indicates otherwise:

- (1) **"CUT"** means the Central University of Technology, Free State;
- (2) **"academic employee"** means any person appointed to teach or to conduct research at CUT, and any other employee designated as such by the Council of CUT;
- (3) **"Act"** means the Higher Education Act, 1997 (Act No. 101 of 1997), as amended;
- (4) **"after consultation with"** means the process of approaching a structure or individual for information, advice or an opinion on a matter for consideration by the presenter, without having to reach an agreement with the structure or individual consulted regarding the matter presented for consultation;
- (5) **"alumni"** means members of Convocation and all former CUT students who have completed a credit-bearing short course, or any other persons who are academically and/or otherwise affiliated to CUT, subject to the approval of Council;
- (6) **"Alumni Association"** means the association of all CUT alumni and members of Convocation as contemplated in paragraph 9;
- (7) **"Alumni Association Constitution"** means the governing document adopted by the Alumni Association, and approved by Council, as amended from time to time;
- (8) **"Alumni Parliament"** means the representative body of the Alumni Association, as constituted in terms of the Alumni Association Constitution;
- (9) **"Chancellor"** means the titular head of CUT, with functions as contemplated in paragraph 3;
- (10) **"Convocation"** means a person who received a qualification at CUT and, in addition, the Vice-Chancellor and Principal, the Deputy Vice-Chancellors, the Registrar, academic employees on the permanent staff (excluding fixed-term and full-time employees) of CUT, professors emeriti and other retired academic employees of CUT;
- (11) **"Council"** means the governing body of CUT contemplated in paragraph 4;

- (12) **"days"** include Saturdays, Sundays and public holidays;
- (13) **"diplomate"** means a person who has been awarded a CUT diploma;
- (14) **"donor"** means a person or body that has made a donation that, in the opinion of Council, warrants that person or body being recognised as a donor, as contemplated in paragraph 13;
- (15) **"employee"** means any person employed by Council;
- (16) **"Executive Management"** means the Vice-Chancellor and Principal, the Deputy Vice-Chancellors, the Registrar and Executive Directors;
- (17) **"functions"** include powers and duties, and vice versa;
- (18) **"in consultation with"** means the process of approaching a structure or individual for information, advice or an opinion on a matter, and then reaching consensus or an agreement with the structure or individual being consulted;
- (19) **"institution"** means a public institution contemplated in Section 21 of the Act;
- (20) **"Institutional Forum"** means the Institutional Forum (IF) contemplated in paragraph 7 of this Statute, and Section 31 of the Act;
- (21) **"Management"** means Executive Management, as well as Management as contemplated in Chapter 10 of this Statute;
- (22) **"majority"** means 50% + 1 (FIFTY PER CENT PLUS ONE) of the votes cast by members, or by those members present, whichever is applicable;
- (23) **"month"** means calendar month;
- (24) **"office bearer"** means a functionary provided for in the Act, or as determined by Council;
- (25) **"professor"** means an academic employee who has been given the title of professor by CUT or another institution;
- (26) **"qualification"** means any formal qualification registered on the respective sub-framework of the National Qualifications Framework (NQF), including a degree, diploma or certificate;
- (27) **"rules"** mean rules made by CUT, as contemplated in Section 32 of the Act;
- (28) **"seat of the institution"**, for the purposes of paragraph 2.1 of this Statute and Section 65A of the Act, means the physical location of the institution, set out in the notice contemplated in Section 20(1), Section 21(1) and Section 23(1) of the Act;
- (29) **"Senate"** means the body responsible for academic matters contemplated in paragraph 5;

- (30) **"SRC"** means the Students' Representative Council of CUT contemplated in paragraph 8;
- (31) **"student"** means a person registered for a course/module or qualification at CUT;
- (32) **"working days"** refer to those days on which an employee is normally expected to work, which for the purposes of CUT shall be Mondays to Fridays, or as otherwise agreed upon and included in an employee's employment contract.

## 2. Application

This Statute applies to CUT.

## CHAPTER 2

### INSTITUTION

## 3. Name, seat and powers

- (1) The name of the institution shall be the "Central University of Technology, Free State".
- (2) CUT's name may only be changed in terms of Section 65(1) of the Act.
- (3) CUT's seat, in accordance with Section 20(1), Section 21(1) and Section 23(1) of the Act, is Bloemfontein, whilst institutional operations are also in Welkom and locations elsewhere, as may be agreed with the Minister.
- (4) CUT is a juristic person, as contemplated in Section 20(4) of the Act.
- (5) Notwithstanding subparagraph 3(4), CUT may not, without the concurrence of the Minister, dispose of or alienate, in any manner, any immovable property acquired with the financial assistance of the State, or grant to any person any real right therein, or servitude thereon.
- (6) CUT may confer degrees and honorary degrees, and may award diplomas and certificates in its own name, as contemplated in Section 65(B) and Section 65(C) of the Act.

## 4. Composition of the Central University of Technology, Free State (CUT)

- (1) CUT consists of the:
  - (a) Chancellor;
  - (b) Council;
  - (c) Senate;
  - (d) Vice-Chancellor and Principal, within the meaning of Section 30 of the Act;
  - (e) Executive Managers, called Deputy Vice-Chancellors or Executive Directors, or such other title as Council may determine;

- (f) Registrar;
- (g) SRC;
- (h) IF;
- (i) academic, administrative and governance structures of CUT, as may be recommended by Senate, and approved by Council;
- (j) academic employees of CUT;
- (k) non-academic employees of CUT;
- (l) students of CUT;
- (m) the Convocation and alumni of CUT; and
- (n) such other offices or structures as may be established by Council.

(2) No vacancy in any of the offices contemplated in subparagraph 4(1), or any deficiency in the numbers, or defect in the composition of the bodies or structures contemplated in subparagraph 4(1), impairs or affects either the existence of CUT as a juristic person, or any function conferred upon CUT by the Act or this Statute.

### **CHAPTER 3**

#### **CHANCELLOR**

##### **5. Functions of the Chancellor**

- (1) The Chancellor is the titular head of CUT.
- (2) The Chancellor shall at all times embody the aspirations and values of CUT, and shall actively advance the interests of CUT.
- (3) The Chancellor, or in his or her absence, the Vice-Chancellor and Principal, or in the latter's absence, one of the Deputy Vice-Chancellors, or in the absence of the latter, the person appointed by Council as the case may be to act on behalf of the Chancellor, presides at all congregations of CUT and, in the name of CUT, confers all degrees, and awards all diplomas and certificates.

##### **6. Election and appointment of the Chancellor**

- (1) The Chancellor is elected by Council in the following manner:
  - (a) The Chairperson of Council determines the date on which a meeting of Council is to be held for purposes of electing a Chancellor, unless that date is the date of a regular Council meeting.
  - (b) The Secretary of Council gives due notice to the Council members of the date and time of, and venue for, the meeting contemplated in subparagraph 6(1)(a), if these are different from those for a regular meeting of Council.
  - (c) The Secretary of Council shall invite the members of Council, Senate and the IF to submit nominations for the office of Chancellor.
  - (d) The nominations contemplated in subparagraph 6(1)(c) shall reach the Secretary of Council at least 20 (TWENTY) working

- days before the meeting contemplated in subparagraph 6(1)(a).
- (e) The nominations contemplated in subparagraph 3.2.1(c) shall be in writing, in the prescribed format, and must include the nominee's complete curriculum vitae (CV).
  - (f) The Secretary of Council shall, within 5 (FIVE) working days after the closing date for nominations, inform members of Council, Senate and the IF in writing of the nominations received.
  - (g) A special meeting of the IF may be held before the meeting contemplated in subparagraph 6(1)(a), for purposes of considering the nominations, and advising Council on the appointment of a candidate to the office of Chancellor.
  - (h) A special meeting of Senate may be held before the meeting contemplated in subparagraph 6(1)(a), for purposes of considering the nominations, and advising Council on the appointment of a candidate to the office of Chancellor.
  - (i) The Chancellor is elected by secret ballot, and by a majority of the members present at the meeting contemplated in subparagraph 6(1)(a).
  - (j) If no candidate receives the majority of votes, successive rounds of voting are held, and in each successive round of voting, the candidate receiving the fewest votes is eliminated as a candidate.
- (2) Once Council has elected a Chancellor, the name of the Chancellor is announced by the Chairperson of Council.

#### **7. Term of office of the Chancellor**

- (1) The Chancellor holds office for a period of 4 (FOUR) years, unless he or she resigns, or is removed from office in accordance with subparagraph 7(4).
- (2) If the Chancellor is unable, for any reason, to perform the functions of his or her office, or if the office of Chancellor becomes vacant, the Vice-Chancellor and Principal or the Acting Vice-Chancellor and Principal performs the functions of the Chancellor.
- (3) The term of office of the Chancellor terminates in the event of:
  - (a) death or incapacity;
  - (b) resignation; or
  - (c) removal from office by Council.
- (4) The Chancellor may only be removed from office by Council. Removal of the Chancellor will be done in a manner determined by Council.
- (5) The term of office of the Chancellor is renewable. The Chancellor may serve more than 1 (ONE) term of office, up to a maximum of 2 (TWO) consecutive terms.
- (6) A person ceases to be eligible as Chancellor if:



- (a) the person is declared insolvent, is removed from office of trust by a court of law, or is convicted of an offence involving dishonesty, or an offence for which the sentence is imprisonment without the option of a fine; or
- (b) the person is declared unfit to attend to his or her personal affairs by a court of law; or
- (c) in the opinion of Council, the person's conduct is inconsistent with the values and aspirations of CUT.

## **CHAPTER 4**

### **COUNCIL**

#### **8. Functions and powers of Council**

- (1) Council governs the University in accordance with the applicable provisions of the Act, the policies and regulations issued in terms of the Act, the Statute and rules of CUT, and in compliance with generally accepted governance principles and practices.
- (2) In performing its governance role, Council shall act with care, skill, diligence and due regard to the values and interests of CUT.
- (3) Without derogating from the generality of subparagraph 8(1), Council:
  - (a) adopts the vision, mission and value statements of CUT;
  - (b) approves CUT policies and strategic plans at institutional level, prior to the submission thereof to the government department responsible for higher education or universities for approval;
  - (c) monitors the implementation of structures and policies approved by Council;
  - (d) identifies and monitors the risks relevant to the business of CUT;
  - (e) ensures that CUT complies with all the relevant laws and regulations of the country;
  - (f) compiles the institutional Statute, and any amendments thereto, with the approval of the Minister, and sets the governance and strategic management rules and regulations of CUT;
  - (g) establishes the committees of Council and, in consultation with Senate, establishes joint committees of Council and Senate;
  - (h) adopts its own rules, including the rules of order and the code of conduct for members of Council, in terms of which it conducts its activities;
  - (i) after consultation with Senate, and after consultation with the SRC, determines:
    - (i) the language policy of CUT, subject to Section 27(2) of the Act;

- (ii) the entrance requirements in respect of particular academic programmes;
    - (iii) the number of students who may be admitted for particular academic programmes, and the manner of their selection; and
    - (iv) the minimum requirements for admission or re-admission to study at the University;
  - (j) after consultation with Senate, determines:
    - (i) the admission policy of CUT; and
    - (ii) the academic structures of the University;
  - (k) after consultation with the SRC, establishes a structure to advise the Management Committee (Mancom) and Council, where necessary, on the rendering of student support services;
  - (l) after consultation with the SRC, approves:
    - (i) the tuition fees, accommodation fees and any other fees payable by students;
    - (ii) the Constitution of the SRC; and
    - (iii) the privileges of the SRC;
  - (m) after consultation with Senate and the SRC, determines the disciplinary measures and disciplinary procedures applicable to the students;
  - (n) appoints the employees of CUT in accordance with CUT's Delegation Register, subject to Sections 31(1)(a)(iii) and 34(2) of the Act. In the case of academic employees, Council may do so in consultation with Senate;
  - (o) determines the conditions of service, disciplinary provisions, functions and privileges of CUT employees, subject to the applicable labour laws;
  - (p) approves the performance management system of the employees;
  - (q) approves the annual budget of CUT;
  - (r) provides the Minister with such information as the Minister prescribes in terms of Section 41 of the Act; and
  - (s) considers the IF's advice on the matters contemplated in Section 31(1)(a) of the Act.
- (4) Subject to Section 68(2) of the Act, and on such conditions as it may determine, Council may delegate some of its functions and powers to the other internal structures, the Vice-Chancellor and Principal, and/or as stipulated in CUT's Delegation Register.
- (5) Council may not delegate or assign any of the following powers and functions:

- (a) appointment, restructuring and redeployment, suspension and dismissal of Executive Managers;
  - (b) approval of the annual operating and capital budgets;
  - (c) adoption of the Annual Financial Statements and Annual Report;
  - (d) determination of the student fees;
  - (e) compilation, approval or revision of the Statute;
  - (f) approval of a loan or an overdraft, in accordance with Section 40(2)(a) of the Act;
  - (g) the decision to construct a permanent building or other immovable infrastructural development, in accordance with Section 40(3)(a)(i) of the Act;
  - (h) purchase of immovable property, in accordance with Section 40(3)(a)(ii) of the Act;
  - (i) approval of a long-term lease of immovable property, in accordance with Section 40(3)(a)(iii) of the Act; and
  - (j) establishment or disestablishment of faculties, departments or any other structures of CUT.
- (6) Council is not divested of responsibility for the performance of any function delegated or assigned under subparagraph 8(4).

## 9. Composition of Council

- (1) Council, as contemplated in Section 27 of the Act, consists of:

### EXTERNAL MEMBERS:

- (a) 5 (FIVE) persons appointed by the Minister;
- (b) 10 (TEN) external members, with a broad spectrum of competencies in the fields of Higher Education (1 (ONE) member), Business (1 (ONE) member), Agriculture (1 (ONE) member), Finance (2 (TWO) members), Law (1 (ONE) member), Marketing (1 (ONE) member), Technology (2 (TWO) members) and Human Resources Management (1 (ONE) member) appointed by Council;
- (c) 1 (ONE) member with local/regional development and governance expertise;
- (d) 1 (ONE) member of the Alumni Association, elected by the Alumni Association, provided that such a member is not an employee or student; and
- (e) 2 (TWO) additional members that Council may appoint, in its discretion, as and when deemed necessary.

### INTERNAL MEMBERS:

- (f) the Vice-Chancellor and Principal;
- (g) a maximum of 3 (THREE) Deputy Vice-Chancellors or Executive Directors;
- (h) 2 (TWO) members of Senate, elected by Senate;
- (i) 1 (ONE) academic employee of CUT, elected by the academic employees;
- (j) the SRC President and 1 (ONE) member of the SRC, as determined by the SRC Constitution;



- (k) 1 (ONE) non-academic employee, elected by the non-academic employees; and
  - (l) the Chairperson of the IF.
- (2) At least 60% (SIXTY PER CENT) of the members of Council must be persons who are not employed by, or students of, CUT, and due regard must be paid to racial and gender representation on Council.
- (3) Council members must have knowledge and experience relevant to the objectives and governance of CUT. Furthermore, a person ceases to be eligible to serve as a member of Council if:
  - (a) he or she is declared insolvent, is removed from office of trust by a court of law, or is convicted of an offence involving dishonesty, or an offence for which the sentence is imprisonment without the option of a fine;
  - (b) he or she is declared unfit to attend to his or her personal affairs by a court of law; or
  - (c) to the opinion of Council, his or her conduct and/or performance is inconsistent with the values and aspirations of CUT.
- (4) Except as provided in subparagraphs 9(1)(a), (b), (c), (d) and (e):
  - (a) no student or employee of CUT, and no other person in receipt of regular remuneration from CUT, are eligible for appointment or nomination for election as a member of Council; and
  - (b) a member of Council who becomes a student or an employee of CUT, must forthwith resign from Council.

#### **10. Election of Council members**

- (1) Members of Council are elected in the manner determined by Council.
- (2) If Council resigns as contemplated in subparagraph 4.5.3, all members of Council are elected in accordance with the CUT Statute.

#### **11. Terms of office of members of Council**

- (1) Student members of Council remain members of Council for the duration of their term of office on the SRC, provided that membership ceases automatically when a student member ceases to be a member of the SRC.
- (2) The term of office of members of Council who are not students or employees of CUT shall be 4 (FOUR) years.
- (3) Notwithstanding subparagraph 11(2), 50% of the members of Council who are not students or employees of CUT shall hold office for a period of 3 (THREE) years; a process that shall be decided by lot at the first meeting they attend.
- (4) Notwithstanding subparagraphs 11(2) and 11(3), a member of Council who becomes so as a result of a vacancy shall only serve for the remainder of the term of office of the previous incumbent.

- (5) The terms of office of the elected members of Council who are employees of CUT, except that of the Vice-Chancellor and Principal and the Deputy Vice-Chancellors, is 2 (TWO) years.
- (6) A member may serve up to a maximum of 2 (TWO) consecutive terms as a Council member. A Council member will normally serve up to a maximum of 2 (TWO) consecutive terms, unless Council decides otherwise on the basis of continuity, stability or expertise.

**12. Termination of membership and filling of vacancies**

- (1) A Council member's term of office terminates if:
  - (a) he or she tenders a written resignation;
  - (b) the Minister, or the person or body who appointed or elected the member to Council, terminates the membership in writing at any time before the expiry of the member's term of office;
  - (c) he or she is absent with or without leave from 3 (THREE) consecutive ordinary meetings of Council, or absent from 3 (THREE) consecutive meetings of a standing committee of Council of which he/she is a member, unless the circumstances for his/her absence are explained in writing by the relevant member, and are accepted by a simple majority of Council;
  - (d) he or she is declared insolvent;
  - (e) he or she is removed from an office of trust by a court of law, or is convicted of an offence for which the sentence is imprisonment without the option of a fine; or
  - (f) he or she, in the majority opinion of Council or its standing committees, is deemed to be incapacitated to fulfil his or her role as a Council member in terms of the rules and code of conduct of Council, including other strategic considerations of CUT.
- (2) Council has the power to take disciplinary action against a member, and to suspend or terminate his or her membership.
- (3) If 75% (SEVENTY-FIVE PER CENT) or more of the members of Council resign, Council is deemed to have resigned, as contemplated in Section 27(8) of the Act.
- (4) If Council resigns, as contemplated in subparagraph 12(3), a new Council must be constituted in terms of this Statute.

**13. Election of the Chairperson and Deputy Chairperson of Council, and their terms of office**

- (1) The Chairperson and the Deputy Chairperson of Council must not be elected from amongst the members contemplated in subparagraph 9(1)(f) to 19(1)(l).
- (2) The Chairperson and the Deputy Chairperson of Council are each elected for a period of 3 (THREE) years, provided that he or she continues to be a member of Council within that period.

- (3) The Chairperson and the Deputy Chairperson are eligible for re-election for 2 (TWO) consecutive terms.
- (4) Nominations for the office of Chairperson and Deputy Chairperson of Council must be in writing, and must be directed to the Secretary of Council, in accordance with the rules and criteria determined by Council.
- (5) If more than 1 (ONE) candidate is nominated, voting is by secret ballot.
- (6) Each member of Council has only 1 (ONE) vote during a voting process by means of secret ballot, and no proxy is allowed.
- (7) A majority of all members present elects the Chairperson and the Deputy Chairperson.
- (8) Whenever a vacancy occurs in the office of the Chairperson or the Deputy Chairperson, the provisions of subparagraph 13(4) to subparagraph 13(7) apply, with the necessary changes, for the filling of such a vacancy.
- (9) A person who fills a vacancy in terms of subparagraph 13(8) holds office until the end of the predecessor's term.

#### **14. Functions of the Chairperson**

- (1) The Chairperson of Council:
  - (a) presides over all meetings of Council;
  - (b) provides ethical leadership to Council and the Councillors;
  - (c) ensures the effective functioning and operation of Council, and the development of the Councillors; and
  - (d) serves as the link between Management and Council.

#### **15. Secretary of Council**

- (1) The Registrar is the Secretary of Council, as contemplated in Section 26(4)(b) of the Act.
- (2) The Secretary acts as Electoral Officer.
- (3) The Secretary attends all meetings, and prepares and keeps all relevant documents of Council.
- (4) The Secretary may assign any other administrative employee to assist in discharging his or her responsibilities, but will remain accountable to Council for the execution of such delegated duties.
- (5) The Secretary receives and dispatches all official communication with stakeholders who may be affected by the decisions of Council.

#### **16. Meetings of Council**

- (1) Council holds at least 4 (FOUR) ordinary meetings per calendar year.

- (2) Notice of any motion for consideration at the next ordinary meeting must be in writing, in the prescribed format, and must be lodged with the Secretary at least 21 (TWENTY-ONE) days before the date determined by Council for such a meeting, provided that any matter of an urgent nature may, without prior notice and with the consent of the Chairperson and a majority of the members present, be considered at such a meeting.
- (3) At least 7 (SEVEN) days prior to the date of an ordinary meeting, the Secretary gives due notice to each member of all the matters to be dealt with at such a meeting, and states the time and place of such a meeting.
- (4) A special meeting may be called by the Chairperson. The objective of such a meeting must be clearly stated, provided further that at least 7 (SEVEN) days' notice of a special meeting be given.
- (5) A special meeting must be called by the Chairperson, at the written request of at least 5 (FIVE) members, with the objective of such a meeting being clearly stated in the request, and provided that at least 7 (SEVEN) days' notice of the special meeting is given.
- (6) No business other than that for which the special meeting was called may be transacted at such a meeting.
- (7) An emergency meeting may be called by the Chairperson, or in his or her absence by the Vice-Chancellor and Principal, at any time, provided that members are given at least 24 (TWENTY-FOUR) hours' notice of such a meeting.
- (8) Notice of an emergency meeting must be given to all members, in any manner convenient under the circumstances.
- (9) The objective of an emergency meeting must be stated to members, and no business other than that for which the meeting was called, may be transacted at such a meeting.

**17. Meeting procedure of Council**

- (1) Council members must participate in the deliberations of Council, in the best interests of CUT.
- (2) Except where otherwise provided in this Statute, all acts or matters authorised, or required to be carried out or decided by Council or its committees, and all questions that may come before it, are carried out or decided by the majority of the members present at any meeting, provided that the number present at any meeting is at least 50% + 1 (FIFTY PER CENT PLUS ONE) of the total number of members of Council, or the committee in question who are holding office on the date of such a meeting.
- (3) In the absence of the Chairperson and the Deputy Chairperson of Council, the members present elect 1 (ONE) of their members to preside at such a meeting.



- (4) The first act of an ordinary meeting, after being constituted, is to read and confirm, by the signature of the Chairperson, the minutes of the preceding ordinary meeting, and of any special or emergency Council meetings subsequently held, provided that the meeting may consider the minutes as read if a copy thereof was previously sent to every member of Council, and provided further that objections to the minutes of a meeting are raised and decided upon prior to confirmation of the minutes.
- (5) A member of Council may not, without the consent of the meeting, speak more than once on a motion or on any amendment, and the mover of any motion or any amendment has the right to reply.
- (6) Every motion or amendment must be seconded and, if so directed by the Chairperson, must be in writing.
- (7) A motion or an amendment seconded as contemplated in subparagraph 17(7) may not be withdrawn, except with the consent of the meeting.
- (8) The Chairperson has an ordinary vote on any matter and, in the event of an equality of votes, also a casting vote.
- (9) If so decided by the meeting, the number of members voting for or against any motion must be recorded in the minutes and, at the request of any member, the Chairperson must instruct that the vote of such a member be likewise recorded.
- (10) When a majority of the members of Council reaches an agreement on a matter referred to them by the Chairperson by letter or electronic means, without a meeting being convened, and where a resolution in this respect is conveyed by letter or electronic means, such a resolution is equivalent to a resolution of Council, and must be recorded in the minutes of the next ordinary meeting.
- (11) The views of a member of Council who is unable to attend a meeting may be submitted to the meeting in writing, but may not count as a vote of such a member.
- (12) The ruling of the Chairperson on a point of order or procedure is binding, unless immediately challenged by a member, in which event such a ruling must be submitted without discussion to the meeting, whose decision is final.

#### **18. Conflict of interest of Council members**

- (1) Council must adopt rules and a Code of Conduct for its members.
- (2) A member of Council may not have a conflict of interest with CUT.
- (3) A member of Council who has a direct or indirect financial, personal or other interest in any matter to be discussed at a meeting, and which entails, or may entail, a conflict or possible conflict of interest must, before or during such a meeting, declare the interest.

- (4) Prior to a meeting, any person may inform the Chairperson in writing of a conflict or possible conflict of interest of a Council member of which such a person may be aware.
- (5) The member is obliged to excuse him- or herself from the meeting during the discussion of, and voting on, the matter.

**19. Committees of Council**

- (1) Council appoints an:
  - (a) Executive Committee;
  - (b) Remuneration Committee
  - (c) Audit and Risk Committee;
  - (d) Finance Committee;
  - (e) Human Resources Committee;
  - (f) Investment Committee; and
  - (g) any such other committees as may be required.
- (2) The composition and functions of the committees are determined by Council.
- (3) At least 60% (SIXTY PER CENT) of the members of a committee must be persons who are not employees or students of CUT.
- (4) The Chairperson of a committee may not be an employee or a student of CUT.
- (5) The Chairperson of Council is also the Chairperson of the Executive Committee of Council and the Remuneration Committee. The Chairperson of Council does not serve on any other standing committee of Council.

**20. Minutes of Council and committee meetings**

- (1) The Secretary of Council keeps the minutes of each meeting of Council and its committees, and includes such minutes in the agenda of the next Council or committee meeting, when the agenda is sent out.
- (2) The minutes of all committee meetings must be included in the agenda of the next ordinary meeting of Council following the respective committee meetings.

**21. Drafting, amending or rescinding the Statute**

- (1) No motion to draft, amend or rescind this Statute or a rule is of force and effect, unless adopted by at least 75% (SEVENTY-FIVE PER CENT) of all members present at the meeting of Council, provided that such a meeting is constituted by at least 50% + 1 (FIFTY PER CENT PLUS ONE) of the total number of members.
- (2) Any motion to draft, amend or rescind this Statute or a rule must be in accordance with the provisions of Section 32(2) of the Act.

**CHAPTER 5****SENATE****22. Functions of Senate**

(1) Subject to the Act, Senate is accountable to Council for all the academic and research functions of CUT, and all other functions delegated or assigned to it by Council.

(2) Senate:

- (a) may make or amend any rule relating to the curriculum for, or to the obtaining of, any degree, diploma, certificate or other qualification, but may do so only in consultation with the relevant Faculty Board;
- (b) may make or amend any rule relating to the mode of delivery, and mode of assessment of students;
- (c) determines the standard of proficiency required in any mode of assessment that may be used in order to satisfy the requirements for the obtaining of each degree, diploma, certificate or other qualification;
- (d) advises Council on disciplinary measures and rules concerning students;
- (e) may make recommendations to Council regarding the faculty to which each academic unit, department or other academic structure belongs;
- (f) may make recommendations to Council regarding the establishment and disestablishment of faculties, academic units, departments and other academic structures;
- (g) determines, in accordance with any relevant deed or gift, and in consultation with the Vice-Chancellor and Principal, the conditions applicable to any scholarships and other academic prizes;
- (h) determines the persons to whom scholarships, academic prizes, honorary doctorates and other academic awards are awarded;
- (i) may establish committees to perform any of its functions, and may appoint persons who are not members of the Senate as members of such committees;
- (j) determines the functions of its committees, as well as the procedure of meeting of these committees;
- (k) may make standing orders on procedures and the delegation of powers for the improved performance of its functions;
- (l) may delegate its functions;
- (m) must, when a committee reports its actions to the next meeting of Senate, take cognisance of any action taken by the committee in exercising its delegated powers or functions;
- (n) approves the appointment of examiners and moderators; and
- (o) approves the promotion of all senior academic staff at all levels of Associate Professor and Professor.

- (3) Senate submits to Council:
- (a) quarterly reports on its work, and/or such other reports as may be required by Council;
  - (b) recommendations on matters referred to it by Council; and
  - (c) recommendations on any other matter affecting CUT, as Senate considers useful.
- (4) Senate may, in terms of the rules, cancel the registration of a student in any or all of the courses for which the student is registered in that year if, in the opinion of Senate, the academic achievement of the student is such that the student may not, at the end of the year, earn credit in such a course or courses, as the case may be.
- (5) Recognition of equivalent status and exemption from assessments:
- Senate may:
- (a) grant credit for a course prescribed for a degree, diploma or certificate to a student who has completed a course or courses or other work, which Senate considers equivalent, at another university, CUT or elsewhere;
  - (b) grant exemption from a course prescribed for a degree, diploma or certificate to a student who has completed a course or courses or work, which Senate considers equivalent, at another university, CUT or elsewhere; and
  - (c) accept part of the period or periods of attendance and registration at another university, CUT or elsewhere.

### **23. Members' responsibilities**

- (1) Members of Senate must participate in the deliberations of Senate, in the best interests of CUT.
- (2) Failure to act in the best interests of CUT, or behaviour that brings CUT into disrepute, may result in removal from Senate, following due process.
- (3) If it is alleged that a member is not acting in the best interest of CUT, or has engaged in conduct that brings, or tends to bring, CUT into disrepute, and at least one-third of the members of Senate resolve, at any meeting, that steps should be taken against that member, Senate must instruct that a hearing by an *ad hoc* committee of Senate take place.
- (4) The member may be removed from Senate if at least two-thirds of the members of Senate present at any meeting vote in favour of his or her removal.

### **24. Composition of Senate**

- (1) Subject to the provisions of the Act, Senate consists of:
  - (a) the Vice-Chancellor and Principal;
  - (b) all Deputy Vice-Chancellors and Executive Directors;
  - (c) the Registrar;



- (d) all Deputy Registrars;
  - (e) all the Deans;
  - (f) all categories of professors, excluding honorary professors, visiting professors, emeritus professors and adjunct professors;
  - (g) all Heads of Department (HoDs);
  - (h) all academic Department Managers;
  - (i) 2 (TWO) representatives of the SRC, elected by the SRC;
  - (j) 2 (TWO) members of Council, designated by Council, provided that no person specified in subparagraph (1)(a) to (e) is eligible for designation under this subparagraph;
  - (k) 1 (ONE) representative of support services staff;
  - (l) 1 (ONE) representative of non-professorial academic staff;
  - (m) Senior Managers responsible for academic support;
  - (n) the University Librarian; and
  - (o) a maximum of 10 (TEN) additional members, as approved by Senate.
- (2) The Senior Manager responsible for Communications and Marketing will have observer status at meetings of Senate, but is not entitled to any voting rights.
- (3) The majority of Senate members must be academic employees.
- (4) The manner of election of members that represent a constituency is as determined by that constituency.

## **25. Term of office of Senate members**

- (1) Members of Senate who became members by virtue of their office, remain members of Senate as long as they hold the offices to which they were appointed and by virtue of which they are members of Senate, provided that members of Senate contemplated in paragraph 24(1) (i), (k) and (l) above are subject to bi-annual re-elections.
- (2) In case of a vacancy, the constituency that elected or designated such a member must fill such a vacancy.
- (3) In the event of an elected or appointed member passing away, resigning, or vacating office for any reason, including the expiry of his or her term of office, the Secretary of Senate must notify the authority or body that has appointed or elected such a member of the vacancy, and, if in the opinion of the Chairperson of Senate this is reasonably practicable, must request such an authority or body to appoint or elect a successor.
- (4) The successor holds office for the unexpired term of office of the predecessor, unless the successor is appointed or elected because his or her predecessor's term of office has expired.

## **26. Chairperson, Deputy Chairperson and Secretary of Senate**

- (1) The Vice-Chancellor and Principal is the Chairperson of Senate, as contemplated by Section 26(4)(a) of the Act. The Deputy Chairperson

of Senate is a the Executive Manager in charge of the Teaching and Learning portfolio.

- (2) The Registrar is the Secretary of Senate.
- (3) The Chairperson presides at meetings of Senate or meetings of the subcommittees of Senate, unless Senate considers it inappropriate for him or her to do so.
- (4) The Chairperson performs such other functions as Senate may determine.
- (5) In the absence of the Chairperson, the provisions of subparagraph 26(4) apply to the Deputy Chairperson.
- (6) The Deputy Chairperson performs such other functions as Senate may determine.
- (7) The Secretary performs those functions assigned to him or her by Senate.
- (8) If both the Chairperson and the Deputy-Chairperson are absent, Senate elects a Chairperson for the meeting concerned from amongst its members.

**27. Meeting procedure of Senate**

- (1) The procedure applicable to Council meetings is applicable, with the necessary changes, to meetings of Senate.

**28. Committees of Senate**

- (1) Senate appoints:
  - (a) an Executive Committee; and
  - (b) such other committees as may be required.
- (2) The composition and functions of the committees are determined by Senate, provided that every Senate committee must have a Chairperson, elected by Senate from amongst its members.

**29. Joint committees of Council and Senate**

- (1) Council, in consultation with Senate, appoints such joint committees of Council and Senate as may be necessary for the performance of particular tasks.

## **CHAPTER 6**

### **FACULTY BOARDS**

#### **30. Functions of Faculty Boards**

- (1) Faculty Boards are appointed by Senate to regulate the activities of the respective faculties of CUT.

#### **31. Composition of Faculty Boards**

- (1) The composition of a Faculty Board is as determined by Senate.

#### **32. Meeting procedure of Faculty Boards**

- (1) The procedure applicable to Council meetings is applicable, with the necessary changes, to meetings of Faculty Boards.

## **CHAPTER 7**

### **INSTITUTIONAL FORUM (IF)**

#### **33. Functions of the IF**

- (1) The IF advises Council on matters affecting CUT, including:
  - (a) the implementation of the Act and the national policy on higher education;
  - (b) race and gender equity policies;
  - (c) the selection of candidates for Senior Management positions;
  - (d) codes of conduct, mediation and dispute resolution procedures;
  - (e) fostering an institutional culture that promotes transformation, social cohesion and respect for fundamental human rights, and creates an appropriate environment for teaching, research and learning; and
  - (f) the language policy of CUT.
- (2) The IF performs such other functions as determined by Council.

#### **34. Composition of the IF**

- (1) The IF consists of:
  - (a) 1 (ONE) representative of Executive Management, appointed by the Vice-Chancellor and Principal;
  - (b) the Registrar, as Secretary;
  - (c) 1 (ONE) external Council member;
  - (d) 1 (ONE) Senate member;
  - (e) 1 (ONE) person representing academic employees;
  - (f) 1 (ONE) person representing non-academic employees;
  - (g) 2 (TWO) persons representing the SRC;

- (h) 2 (TWO) persons representing the 2 (TWO) recognised employee unions with the top two highest staff membership within CUT;
  - (i) 1 (ONE) person representing the Alumni Association;
  - (j) 1 (ONE) person representing the Student Services Council (SSC);
  - (k) 1 (ONE) person representing the Human Resources Section, with background on transformational matters; and
  - (l) a maximum of 3 (THREE) additional members, as approved by the IF.
- (2) The nomination of representatives must be transparent and democratic, and each constituency must follow the voting procedure within its own constituency, and must submit the names of its representatives to the Registrar.

**35. Terms of office of members of the IF**

- (1) Members of the IF who are appointed in terms of subparagraph 34(1)(a) and (b) shall hold office for as long as they are employed in that capacity by CUT.
- (2) Student members of the IF remain members of the IF for the duration of their term of office on the SRC, provided that membership ceases automatically when a student member ceases to be a member of the SRC.
- (3) The term of office of the remaining members of the IF who are appointed in terms of subparagraph 34(1)(c), (d), (e), (f), (h), (i), (j) and (l) shall be 4 (FOUR) years.
- (4) Notwithstanding subparagraph 7.3.3, the IF must decide which 5 (five) members of the IF will hold office for a period of 3 (THREE) years; a process that shall be decided by lot at the first meeting they attend.
- (5) Notwithstanding subparagraphs 35(1) to 35(4), a member of the IF who becomes so as a result of a vacancy shall only serve for the remainder of the term of office of the previous incumbent.
- (6) A member may serve as an IF member up to a maximum of 2 (TWO) consecutive terms. An IF member will serve up to a maximum of 2 (TWO) consecutive terms, unless the IF decides otherwise on the basis of continuity, stability or expertise.
- (7) A member's term of office will be terminated if he or she:
  - (a) tenders a written resignation; or
  - (b) is absent without leave from 3 (THREE) consecutive meetings of the IF.

**36. Office bearers of the IF**

- (1) The IF elects from amongst its members a Chairperson and Deputy Chairperson.

- (2) The Chairperson and the Deputy Chairperson of the IF are each elected for a period of 2 (TWO) years.
- (3) The Chairperson and the Deputy Chairperson are eligible for re-election for 2 (TWO) consecutive terms.

**37. Meetings and meeting procedure of the IF**

- (1) The IF has four meetings per year, plus extraordinary meetings on matters that require urgent attention.
- (2) 50% + 1 (FIFTY PER CENT PLUS ONE) of the members constitute a quorum.
- (3) The meeting procedure is in terms of the CUT Standard Rules of Order.

## **CHAPTER 8**

### **STUDENTS' REPRESENTATIVE COUNCIL (SRC)**

**38. Functions of the SRC**

- (1) The SRC represents the students of CUT in matters that may affect them.
- (2) The matters contemplated in subparagraph 38(1) include:
  - (a) liaising with Council, Senate, Management, the general public, other institutions, SRCs of other institutions, national or international student organisations, and unions;
  - (b) granting or withdrawing recognition of student committees, clubs, councils and societies, as it deems appropriate in its capacity as umbrella organisation for all such student committees, clubs, councils and societies;
  - (c) co-ordinating and supervising the use of student facilities and all matters pertaining thereto, in co-operation with Management;
  - (d) convening and conducting all authorised meetings of the student body;
  - (e) being the managing body in all general referenda and petitions organised, within the rules, by students;
  - (f) appointing such office bearers and establishing such committees as it deems necessary;
  - (g) organising and promoting extramural activities amongst students;
  - (h) keeping account of all monies allocated to it by Council, and any other monies that may accrue to it in its capacity as representative of the students;
  - (i) allocating or disbursing such funds for use by students, and making grants to approved student clubs, committees, societies and councils;
  - (j) preserving order at student functions, and ensuring good conduct at other approved meetings of students;



- (k) co-ordinating student involvement in all community projects initiated by it;
- (l) being responsible for all student publications;
- (m) recommending to Council rules to determine the conduct of the SRC's affairs;
- (n) final decision-making in all matters falling within its jurisdiction;
- (o) such additional functions and privileges as may be specifically conferred upon it by Council; and
- (p) facilitating a smooth transition of processes after the SRC elections.

**39. Composition of the SRC**

- (1) Only registered students are eligible to serve on the SRC.
- (2) The SRC, as contemplated in Section 35 of the Act, must be representative of the student body.
- (3) The election of SRC members must be democratic and transparent.

**40. Office bearers of the SRC**

- (1) The President shall be elected by students from the two campuses of CUT, with the candidates coming from both the Bloemfontein and the Welkom campuses.
- (2) The functions of other office bearers, and the election of such office bearers, are as determined by the SRC Constitution.
- (3) The composition of the SRC may not be repealed or amended, except after consultation with the SRC.

**41. Term of office of SRC members**

- (1) The term of office of members of the SRC is 1 (ONE) year.

**42. Privileges**

- (1) The privileges of members of the SRC are as determined by Management, after consultation with the SRC.

**43. Meetings of the SRC**

- (1) The number of meetings, the quorum at a meeting, and the meeting procedures are as determined by the Constitution of the SRC, as approved by Council. Any amendments to the Constitution have to be approved by Council, after consultation with the SRC.

**44. SRC committees**

- (1) The SRC must establish a Disciplinary Committee, responsible for the discipline of any member of the SRC, and any member of the student structures affiliated to the SRC.
- (2) The SRC may establish such other committees as may be required.

- (3) The SRC may establish campus SRCs from amongst the students at a campus to co-ordinate its activities on the respective campuses.

**45. General meetings**

- (1) The SRC must convene at least 1 (ONE) general meeting of students per semester.
- (2) A general meeting may also be requested by at least 1 000 (ONE THOUSAND) signatories petitioning the SRC.
- (3) Meetings may not interfere with academic activities, unless the Vice-Chancellor and Principal has granted prior permission.

**CHAPTER 9**

**ALUMNI ASSOCIATION**

**46. Membership of the Alumni Association**

- (1) The Alumni Association consists of:
  - (a) the Convocation; and
  - (b) former CUT students who have completed a credit-bearing short course, or any other persons who are academically and/or otherwise affiliated to CUT, subject to the approval of Council.
  - (c) The fact that the name of a person appears on the Alumni Association roll is, at face value, proof of him or her being a member of the Alumni Association, and of him or her being entitled to vote.
  - (d) The names of new graduates and diplomates of CUT are deemed to have been inscribed on the Alumni Association roll after degrees have been conferred, or diplomas have been awarded, but members so registered are required to furnish their addresses to the Secretary, and to notify him or her of any change of address.
  - (e) For purposes of the election of Council members, the Alumni Association roll is deemed closed from the latest date on which ballot papers are issued, until the date of the election, both days inclusive.

**47. Office bearers of the Alumni Association**

- (1) The Alumni Association shall, in accordance with the Alumni Association Constitution, elect an Alumni Parliament, which will meet annually to discuss and decide on such matters as determined by the Alumni Association Constitution.

- (2) The Alumni Association shall further, in accordance with the Alumni Association Constitution, elect from amongst its members a President to act as Chairperson at all meetings of the Alumni Parliament, and who shall hold office for a period of 3 (THREE) years from the meeting at which he or she is elected.
- (3) The functions and election of the other office bearers of the Alumni Parliament will be as determined by the Alumni Association Constitution.
- (4) The Constitution of the Alumni Association shall be approved by Council.

**48. Meetings and meeting procedure of the Alumni Association**

- (1) The provisions regarding the meetings, quorums and meeting procedure of the Alumni Association and Alumni Parliament, as well as all other matters pertaining to the Management thereof, are regulated by the Alumni Association Constitution.

**CHAPTER 10**

**MANAGEMENT AND EXECUTIVE MANAGEMENT**

**49. Executive Management**

- (1) For purposes of Section 31(1)(a)(iii) of the Act, Executive Management means the Vice-Chancellor and Principal, the Deputy Vice-Chancellors, the Registrar, Executive Directors, and any other employees designated as such by Council.

**50. Vice-Chancellor and Principal**

- (1) The Vice-Chancellor and Principal is the Chief Executive Officer (CEO) of CUT.

**51. Functions of the Vice-Chancellor and Principal**

- (1) The Vice-Chancellor and Principal, who is the CEO, Accounting Officer and academic head, is responsible for the day-to-day management and administration of CUT, and has all the powers necessary to perform these functions.
- (2) The Vice-Chancellor and Principal reports to Council.
- (3) By way of his or her office, the Vice-Chancellor and Principal is a member of all the committees of Council and Senate.
- (4) Council may assign additional functions, and grant additional powers and privileges, to the Vice-Chancellor and Principal.
- (5) When the Vice-Chancellor and Principal is absent or unable to carry out his or her duties, 1 (ONE) of the Deputy Vice-Chancellors



designated by Council takes over or, alternatively, the Council may appoint an acting Vice-Chancellor and Principal.

- (6) In accordance with subparagraph 51(1), the Vice-Chancellor and Principal executes all actions on behalf of CUT, and has the power to, *inter alia*:
- (a) manage and administer CUT;
  - (b) restructure and reorganise the University, in consultation with Council, for purposes of the effective management and development of CUT;
  - (c) give instructions to any employee, student or managerial committee, which must be executed promptly and fully;
  - (d) ensure CUT's financial health and management;
  - (e) facilitate CUT's public relations and partnerships;
  - (f) undertake planning;
  - (g) ensure the optimal utilisation of CUT's resources;
  - (h) in the manner set out in the disciplinary rules, suspend or dismiss any non-Executive employee of CUT; and
  - (i) order a non-Executive employee whom he or she has suspended to refrain from being on any premises under the control of CUT; to refrain from participating in any of CUT's activities; or issue such other conditions as he or she may deem necessary.

**52. Appointment of the Vice-Chancellor and Principal, Deputy Vice-Chancellors, Registrar and other appointees designated as Executive Management by Council**

- (1) Subject to Section 31(1) of the Act, the advertising of the post, the invitation for the nomination of candidates, the search for suitable candidates, the criteria for the shortlisting of candidates, and the interviewing and appointment processes, are in the manner determined by Council.

**53. Terms of office of the Vice-Chancellor and Principal, Deputy Vice-Chancellors, Registrar and other appointees designated as Executive Management by Council**

- (1) The Vice-Chancellor and Principal, the Deputy Vice-Chancellors, the Registrar and other appointees designated as Executive Management by Council are appointed by Council for such a period as agreed upon in their contracts, but not for a period exceeding 5 (FIVE) years. The contracts are renewable on expiry for one additional term not exceeding 5 (FIVE) years, based on institutional criteria as determined by Council, which may include, but not be limited to:
- (a) a review of the strategic intent and value of the portfolio in terms of the University's vision, mission and relevant strategic documents; and
  - (b) a review of the performance of the incumbent in that portfolio, based on scores recorded in the University's performance management system and/or other relevant assessment tools.

- (2) In making contractual appointments in terms of paragraph 53(1), Council may appoint permanent staff on supernumerary contracts, which means that, upon the expiry of the employment contract, the incumbent reverts back to his/her permanent position.

**54. Roles of Deputy Vice-Chancellors, Registrar and Executive Managers**

- (1) The Deputy Vice-Chancellors, the Registrar and the Executive Managers are responsible for assisting the Vice-Chancellor and Principal in the management and administration of CUT.

**CHAPTER 11**

**EMPLOYEES**

**55. Appointment**

- (1) Subject to Section 34 of the Act, Council appoints employees according to the staffing policies of CUT, as determined in the rules and the Delegation Register.

**56. Conditions of employment**

- (1) The conditions of employment, including the determination and review of salaries of employees and all other forms of remuneration, are approved by Council according to CUT's policy, as determined in the rules, which may be amended from time to time by Council.

**57. Evaluation**

- (1) All employees of CUT are subject to continuous evaluation in the performance of their duties, in accordance with the system approved by Council.

**58. Employee discipline**

- (1) Every employee is subject to a disciplinary code, a disciplinary procedure and a grievance procedure for employees, as approved by Council, and determined in the rules, which serve as an integral part of every employee's conditions of service.

**CHAPTER 12**

**STUDENTS**

**59. Admission and registration of students**

- (1) A person may be permitted by Council to register as a student only if he or she satisfies the legal requirements, if any, for admission to study at CUT, and satisfies any other requirements for admission that may be determined by Council, stipulated in the rules, and delegated accordingly.

- (2) The requirements for the admission of students to the faculties of CUT are stipulated in the rules, and may be changed by Council, in consultation with Senate.
- (3) A student is registered for a period commencing on the date of his/her registration, and expiring on the last day of the subsequent registration period, or for such shorter period as Council may determine, in general or in a particular case, as delegated, and in consultation with Senate.
- (4) In order for a student to renew his or her registration after the expiry of the period contemplated in subparagraph 59(3), the student is required to comply with any conditions set by Council.
- (5) Council, in consultation with Senate, may refuse to allow the renewal of registration if a student fails to meet the conditions contemplated in subparagraph 59(4).
- (6) The conditions contemplated in subparagraph 59(4) may include the payment of outstanding fees.

#### **60. Student discipline**

- (1) The disciplinary measures and disciplinary provisions applicable to students are set out in the rules, and may be changed by Council after consultation with Senate and the SRC.
- (2) The Vice-Chancellor and Principal may, from time to time, amend monetary penalties.
- (3) Such amended penalties must be placed before Council at its next ordinary meeting.
- (4) If Council should alter or set aside any such amendment, its validity up to the time of alteration or setting aside by Council is not affected.

### **CHAPTER 13**

#### **DONORS**

#### **61. Donors**

- (1) CUT may receive monies and equipment of any sort from donors to assist the University in providing quality education.
- (2) CUT may recognise and register certain donors, as determined in the rules.

**CHAPTER 14****AWARDS****62. Degrees, diplomas and certificates**

- (1) In accordance with this Statute, the Act, and the rules of CUT, Senate may approve the awarding of diplomas and certificates, and the conferring of degrees of bachelor, honours, master's and doctoral, in any faculty, should the candidates meet the requirements of the qualifications enrolled for.
- (2) In accordance with this Statute, the Act, and the rules of CUT, Council, in consultation with Senate, has the power to admit a person to an honorary degree of doctor, whether or not that person has graduated at CUT or at any other higher education institution.
- (3) Council, in consultation with Senate, has the power to cancel an award previously conferred upon a person by CUT.

**CHAPTER 15****TRANSITIONAL PROVISIONS****63. Transitional provisions**

- (1) Anything done under any provision of the institutional Statute before this Statute came into operation, is deemed to have been done under the corresponding provision of this Statute.
- (2) Any existing rules in force upon the commencement of this Statute continue to apply, until replaced by any provision of the Statute, or any rule that may be made in terms of the Statute.
- (3) The Statute applicable to the University published under Government Notice No. 646, Government Gazette No. 33406 of 26 July 2010, is hereby repealed.

## DEPARTMENT OF HOME AFFAIRS

NO. 338

07 APRIL 2017

**ALTERATION OF SURNAMES IN TERMS OF SECTION 26 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)**

The Director-General has authorized the following persons to assume the surnames printed in *italics*:

1. Itumeleng Petronela Modibedi - 911207 0164 086 - 6885 Mapatane Street, , THOKOZA, 1426 - *Sekhoto*
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32. Sibongile Nhlapo - 670911 0478 088 - 38/1091 Vigor Street, Extension 27, , DAVELAND, 1813 - *Dlamini*
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56. Maggy Malekoba Molapo - 700828 1293 080 - 72 Israel Pharasi, Extension 18, , MAMELODI, 0122 - *Manyaka*
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72. Robin Mokwena - 910313 5702 085 - 10159 Barax Street, Extension 8, , NELLMAPIUS, 0122 - *Mlambo*
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74. Tshepo Cleanton Mukhathi - 971130 5990 080 - Stand No 854, , , MUDULUNI, 0920 - *Ramahala*
75. Themba Munyai - 920718 5524 081 - 389 Munzhedzi, , , MUNZHEDZI, 0948 - *Mushandana*
76. O'neal Patrick Botha - 930125 5046 081 - 29 Steyn Street, , , CAROLINA, 1185 - *Robbeson*
77. Tumisang Dikwidi - 910428 5768 082 - House No E133, , , DITSHIPENG, 8460 - *Lepedi*
78. Lebogang Vincent Dikwidi - 820508 5555 081 - New Stands, Promise Land, , KURUMAN, 8460 - *Lepedi*
79. S'bahle Nothando Nhleko - 980204 0773 087 - Ezikholeni Reserve, , , UTHUNGULU, 3880 - *Mkhwanazi*
80. Thabiso Lwazi Msani - 980324 5675 085 - P717 Umlazi Township, , , UMLAZI, 4031 - *Sukude*
81. Mduduzi Reginald Nyambi - 980228 6276 084 - Stand No 515, , , VLAKBULT, 1320 - *Ngwenya*
82. Kamogelo Prince Makua - 981204 5607 081 - Stand No 180, Mbonisweni Trust, , WHITE RIVER, 1245 - *Mathibela*
83. Wayne Masilela - 970625 5951 082 - 8920 Extension 18, , , KWA-GUQA, 1039 - *Kobo*
84. California Sechabe - 981024 0793 086 - 6347 Badhawk Street, Extension 7, Klarinet, WITBANK, 6347 - *Moraba*
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87. Stephen Boonzaaier - 980611 5162 084 - 205 Fountain Road, , , MATROOSFONTEIN, 7490 - *Moses*
88. Sithembiso Mpupa - 870129 5572 080 - P 264 Madikane Street, , , MBEKWENI, 7600 - *Nqwweniso*
89. Tshepo Wandile Letsoalo - 980404 5125 081 - 3 C Nancefield Hostel, , , PIMVILLE, 1809 - *Dlamini*
90. Linky Maphefo Maponya Maponya - 980228 0912 080 - Topanama Village, , , NAPHUNO, 0800 - *Sekokota*
91. Siphwe Leya Mahlobo - 860112 0326 084 - 2463 Extension 8, , , BARBERTON, 1300 - *Hlabathi*
92. Bongane Lencylott Nkomo - 891223 5307 087 - 977 Mpande Street, , , LANGAVILLE, 1560 - *Kgasi*
93. Lunga Mandla Theron Maphanga - 921017 5261 086 - Stand No 16, Dindela, , BARBERTON, 1300 - *Madonsela*
94. Mduduzi Michael Nkosi - 840306 5348 086 - 44 B Ezinkojaneni, , , PIET RETIEF, 2380 - *Kubheka*
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99. Sewela Evelyn Ramorwalo - 840227 0929 086 - 2224 Third Street, , , KLIPTOWN, 1700 - *Phiri*
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112. Mokgadi Portia Zozo - 980427 0238 088 - 2028 Moleleki, Extension 3, , KATLEHONG, 1431 - *Tabana*
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132. Gomolemo Boipelo Machaya - 930321 5194 084 - 3193 Taaibosch, Bochemelo, , BLOEMFONTEIN, 9300 - *Leeuw*



133. Buti Pienaar Seema - 680415 5619 082 - 581 Thabana, , , SIYABUSWA, 0472 - *Nkosi*
134. Vuyo Junior Mkhazani - 981208 5952 082 - 142 Tramway Street, , , JOHANNESBURG, 2001 - *Zikalala*
135. Thozama Judith Bazindlovu - 960115 0450 084 - 16589 Zone 21, , , SEBOKENG, 1901 - *Matanzima*
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137. Skhumbuzo Pride Mahlangu - 950328 5853 085 - Stand No 1374, , , KWAGGAFONTEIN, 0400 - *Ntuli*
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142. Khanyisani Brightman Ngcobo - 901124 5719 081 - Upper Maphephetha, , , INANDA, 4310 - *Gwala*
143. Vusi Vukela - 930509 5588 087 - 713 Block Ss, , , SOSHANGUVE, 0152 - *Masangu*
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153. Keobakile Godfrey Mafura - 981109 5543 089 - House No B58, Dipudi Village, , GANYESA, 8613 - *Lebereki*
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155. Gregory Grant Mees - 860806 5186 084 - 173 Riverglades Estate, Juweel Street, , JUKSKEI PARK, 2195 - *Naudé*
156. Adelaide Anna Masango - 890103 0558 085 - 10041 Block R, , , MABOPANE, 0100 - *Sondeza*
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169. Modise Christopher Mabe - 911218 5493 081 - 2099 Tsheping, , , DANNYSVILLE, 1932 - *Makate*
170. Setihaba James Xaba - 851109 5236 087 - 2472 Lusaka Location, , , WITSIESHOEK, 9870 - *Mdluli*
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185. Sihle Mthembu - 980914 6499 087 - P O Box 3, , , MBAZWANA, 3974 - *Mthethwa*
186. Nobuhle Kwesaba Cebekhulu - 900917 1580 089 - P O Box 415, , , HLUHLUWE, 3960 - *Kwesaba*
187. Ntobeko Siphesihle Cebekhulu - 950413 1234 082 - P O Box 180, , , HLUHLUWE, 3960 - *Kwesaba*
188. Welile Guguethu Sibanyoni - 910703 0111 086 - 2489 Mkhonza Street, , , ERMELO, 2351 - *Nzimande*
189. Ntuthuko Clynton Shezi - 860221 5706 081 - 1472 – 2st, , , DURBAN, 4001 - *Dlamini*
190. Sibusiso Sfiso Mndawe - 880108 5435 082 - 758 Extension 11, , , KWA-GUQA, 1035 - *Maedi*
191. Vusumuzi Joseph Sibeko - 971223 5022 085 - 7803 Xorile Street, , , ORLANDO WEST, 1700 - *Khumalo*
192. Bongephiwe Minenhle Ndaba - 980101 1624 089 - Greenpoint Area, , , LADYSMITH, 3370 - *Mthabela*
193. Siyasbulela Fikelepi - 970219 5961 083 - 424 Tandergate Village, , , QUEENSTOWN, 5320 - *Booi*
194. Prince Tlhamagale Ranape - 951125 5769 082 - Ga-Masemola, , , MABOPANE, 1060 - *Leshilo*
195. Kamogelo Wilfred Tsheoga - 970514 5220 088 - Lenting Village, , , GA-MPHAHLELE, 0700 - *Shogole*
196. Silindile Shezi - 961205 0978 082 - Kwampande Location, , , PIETERMARITZBURG, 3200 - *Nkomo*
197. Phumlani Sithunywa Gumede - 931122 5983 081 - Mfekani Area, , , MTUBATUBA, 3960 - *Ntuli*
198. Rifarothe Emily Tshifura - 700302 1344 087 - P O Box 1563, , , THOHOYANDOU, 0950 - *Tshabuse*
199. Mahommed Shikwane Ratseke - 890106 5921 083 - Ga-Rantho Village, , , JANE FURSE, 1085 - *Moraba*
200. Maledimo Dorothy Ntladi - 611012 0764 080 - Ga-Nchabeng Village, , , JANE FURSE, 1085 - *Tjebane*

201. Lentsu John Maphanga - 841024 5884 088 - Mathousand Area, , , GLEN COWIE, 1059 - *Dibakwane*
202. Alfred Nkhohlo Dibakwane - 651213 5689 089 - P O Box 311, , , SHATALE, 1242 - *Mashile*
203. Molepo Johannes Magane - 611212 5746 088 - Makgane Village, , , SEKHUKHUNE, 1129 - *Ratau*
204. Elias Leduba Tau - 781003 5812 085 - 66 Madibele, Steelpoort Park, , STEELPOORT, 1133 - *Maimela*
205. Solomon Boshomane - 930706 5523 086 - 2485 Extension 5, , , KANANA, 0407 - *Mafafo*
206. George Masalane - 910406 5788 086 - Bothahoek, , , BURGERSFORT, 1150 - *Marole*
207. Phaleng Adolph Mahlangu - 850407 6180 085 - 531 Block C, , , MABOPANE, 1501 - *Nare*
208. Sifiso John Ngobeni - 810111 5446 088 - 32537 Phumlani Street, Extension 12, , TSAKANE, 1550 - *Ngobeni-Radebe*
209. Mmatshwene Ishmael Manamela - 751216 5296 085 - 384 Lebong Section, , , TEMBISA, 1600 - *Malepe*
210. Sibabalo Jentile - 960116 6283 081 - Sifonondile A/A, , , CALA, 5455 - *Bizana*
211. Zama Nkayamba - 960419 6144 083 - Nkosana Area, , , MATATIELE, 4730 - *Nkanyamba*
212. Lesedi Mathope Mojela - 850510 5926 083 - P O Box 391, , , LEBOWAMGOMO, 0737 - *Phasha*
213. Matlakala Gilford Matlamela - 850519 6109 086 - Private Bag X26, , , GA-MPHELA, 0742 - *Mashie*
214. Mamakgowa Selina Senakhomo - 860907 1461 081 - 590 Disco Location, , , WINBURG, 9420 - *Snyman*
215. Vutlhari Lubane - 950319 5634 088 - 0237 Nu Kerk, 73 Nugget Street, , JOHANNESBURG, 2000 - *Mkhabela*
216. Mpho Candy Hlolloane - 930808 1255 083 - 1028 Eurekapark, Meloding, , VIRGINIA, 9430 - *Bambela*
217. Tyrone Jacobsen - 930114 5043 082 - 109 – 5th Avenue, , , EDENVALE, 1609 - *Jordaan*
218. Thabo Xavier Mohalanyane - 820309 5985 083 - 2549 Phakoe Street, Naledi Extension 1, , SOWETO, 1868 - *Legodi*
219. Mxoliso Ishmael Mkhohlakali - 830517 5656 086 - 3825 Modisenyane Street, Rocklands, , BLOEMFONTEIN, 9300 - *Ledidi*
220. Steve Bongumusa Cele - 801108 5744 083 - P O Box 402, , , MUNSTER, 4278 - *Tembe*
221. Bongiwe Fortunate Ngcobo - 830720 0880 087 - M 535 Umlazi Township, , , UMLAZI, 4001 - *Mbutho*
222. Phumlani Innocent Chonco - 951124 5552 085 - Kwatshole, , , DUNDEE, 3000 - *Makangeza*
223. Bokhosing Johannes Motale - 870402 6062 082 - 8530 Extension 7, Lusaka, , PARYS, 9585 - *Motaung*
224. Anthony Schoeman - 880229 5229 083 - 61 Newtown Fingo, , , GRAHAMSTOWN, 6139 - *Ngesi*
225. Bheki Gilbert Kubela - 780615 6039 086 - 14240 Solmotlana Street, , , DAVEYTON, 1520 - *Mlangeni*
226. Lerato Lillian Kheswa - 860427 1111 081 - 904 Mofokeng Street, , , BOKSBURG, 1475 - *Seakamela*
227. Anzari Pretorius - 960210 0096 084 - 76 Prospero Street, Bediela, , WELKOM, 9459 - *Burger*
228. Dumazile Pretty Sikakane - 900418 1235 089 - Q 134 Umdlebe Road, , , UMLAZI, 4001 - *Kubone*
229. Phindile Mthembu - 960818 1308 082 - P O Box 2617, , , EZIMPISINI, 3976 - *Zikhali*
230. Khaphezi Deffence Mpila - 630123 5562 085 - No 31 Faversham Road, , , DANNHAUSER, 3080 - *Nqubuka*
231. Gordon Ompelege Phetla - 861011 5373 084 - S 332 Extension 14, , , SOSHANGUVE, 0152 - *Setshedi*
232. Matswakantsha Confidence Makalela - 981216 5535 088 - 101 B Ga-Mabusela, , , MAPELA, 0610 - *Mokoka*
233. Busile Sanele Sigcau - 920807 5640 086 - 34 Carew Road, Amalinda, , EAST LONDON, 5200 - *Ndamse*
234. Johannes Ndlovu - 880506 6304 084 - Mokghwathi Village, , , BELA-BELA, 0837 - *Nkuna*

235. Mukondeleli Munzhelele - 910917 6534 089 - Ha-Mangilasi, , , VUWANI, 0945 - *Madzivhandila*
236. Takalani Munzhelele - 880502 6248 082 - Mangkasi, , , VUWANI, 0945 - *Madzivhandila*
237. Reginald Donald Bahula - 950804 5869 081 - P O Box 3111, , , APEL, 0739 - *Debeila*
238. Nkosinathi Goodwill Malaza - 900708 5339 089 - Stand No 416, , , SIYATHUTHUKO, 1502 - *Nkosi*
239. Muhle Hertzog Makete - 600313 5850 087 - 17 Stegman Street, Glen Vista, , JOHANNESBURG, 2001 - *Msomi*
240. Boitshepo Mac Donald Kgwas - 851122 5659 083 - 20700 Matlapaneng, , , TAUNG, 8584 - *Ditshwele*
241. Simoné Habib-Ur-Rahman - 930909 0095 080 - 3 Dolomiet Street, , , POSTMASBURG, 8420 - *Van Der Sandt*
242. Stanley Thabang Seotlo - 970926 5897 089 - A 0143 The Willows Village, , , TRICHARDTSDAL, 0890 - *Letebele*
243. Xolani Gabriel Ngubane - 981105 5723 085 - 11442 Mthombeni Street, Extension 11, Emaphupheni, DAVEYTON, 1520 - *Makamo*
244. Kganetso Anthony Ramapatla - 930909 6527 086 - 1062 Unit T, , , MABOPANE, 0100 - *Maruping*
245. Mohulwana Selala - 720323 5636 084 - Mamone, , , JANE FURSE, 1085 - *Maile*
246. Majela Martin Kekana - 880425 5488 089 - 103 Tiale Street, , , PRETORIA, 0008 - *Mosesi*
247. Nkululeko Wonderboy Adams - 891202 5237 080 - No 233 Nhlanzatshe, , , ELUKWATINI, 1190 - *Mkhwanazi*
248. S'manga Nkosi'mphile Ndlovu - 860828 6057 080 - Stand No 50, Sinqobile, , BARBERTON, 1300 - *Mabuza*
249. Nkosinathi Hlongwa - 901012 5560 086 - 2869 Phillip Street, Finetown, , ORANGE FARM, 1700 - *Maphosa*
250. Mxolisi Patrick Ntokozo Qwabe - 760924 5730 081 - A 719 Umshabo Road, , , INANDA, 4310 - *Mthembu*
251. Sibusiso Makhawini - 760826 5819 089 - Luswijini Location, , , BIZANA, 4800 - *Dlamini*
252. Ziphezinhle Silindile Biyela - 911222 0601 086 - 214728 – R102 Danganyane, Umgababa, , ILLOVO BEACH, 4100 - *Sibisi*
253. Patrick Sbusiso Motshegoa - 970127 5750 085 - 54 Block Mm, , , SOSHANGUVE, 0152 - *Africa*
254. Ignitius Jabu Masia - 860901 5559 081 - 647 Lebanon, Phase 1, , MABOPANE, 0100 - *Mathebula*
255. Nokulunga Pearl Sithole - 950427 0608 088 - 1188 – 45th Avenue, Sherwood, , DURBAN, 4001 - *Mahaye*
256. Kgotlaetsile Pax Moswane - 680921 5874 080 - Rietpan Village, Madubu Section, , LEHURUTSHE, 2880 - *Mosadi*
257. Ephraim Santos Makhuvele - 921014 5360 083 - 951 Empumelele, , , EMALAHLENI, 1089 - *Honwane*
258. Obed Letlhogonolo Boshomane - 980806 5457 084 - 2485 Extension 5, , , KANANA, 0407 - *Mafafo*
259. Thapelo Jacky Mahlangu - 950818 5303 081 - 4049 Unit P, Extension 6, , TEMBA, 0407 - *Thambo*
260. Mfaniseni Hemilton Madonda - 840601 6446 081 - Springvale Location, , , HIGHFLATS, 3279 - *Nkandi*
261. Nkosikhona Lifa Mnguni - 980928 6123 083 - Reserve B, , , BERGVILLE, 3350 - *Hlombe*
262. Avhafunani Thelma Mutovholwa - 981013 0475 083 - Stand No 91, Mailwarela, , VHEMBE, 0970 - *Nemutamba*
263. Nosipho Mabule - 920821 1084 082 - P O Box 188, , , NONGOMA, 3950 - *Zulu*
264. Ofentse William Mothei - 980627 5998 087 - House No 533, Mmorogong, , MANKWE, 0314 - *Kgomo*
265. Tebogo Johannes Manganye - 870215 5913 083 - 2858 Extensio 4, , , MOOKGOPHONG, 0560 - *Thalare*
266. Thabo Diradingoe - 980112 5437 089 - 4052 Modisenyane, Rocklands Location, , BLOEMFONTEIN, 9300 - *Rathankana*
267. Simphiwe Nsibiyana - 940610 6297 088 - Makhotyana Area, , , LIBODE, 5160 - *Nyume*
268. Davey Michael Kgatla - 860409 5514 080 - Stand No 479, , , RAPITSI, 0838 - *Makhubele*

269. Mankwe Kgopa - 980504 1127 088 - 913 Zone A, , NAMAAGALE, 1590 - *Ramathuba*
270. Thapelo Prayer Dikwidi - 851126 5630 085 - New Stand, Magojaneng, , KURUMAN, 8460 - *Lepedi*
271. Lunga Mpalala - 901010 5841 084 - 331 Motsoaledi, , DIEPKLOOF, 1804 - *Lese*
272. Mduduzi Philemon Hlatshwayo - 821204 5516 088 - 32 Daphine Street, , NATURENA, 1700 - *Mthethwa*
273. Siphwe Pelesia Mlangeni - 511015 0618 082 - 2264 Inomfi Street, Olivenhout, , RANDBURG, 0175 - *Masekoahleng*
274. Mxolisi Maxwell Ncanana - 940506 5778 088 - 21393 Motyathuzana Road, , MARIANNHILL, 3601 - *Nkomo*
275. Mbongeni Doctor Kumalo - 831225 5648 082 - 32 Suffert Street, , PINETOWN, 3600 - *Maphumulo*
276. Nkosentsha Reginald Bhengu - 7612265642 087 - 21864 Zambia Road, Tshelimnyama, , PINETOWN, 3600 - *Shinga*
277. Zanololo Poswa - 970619 5836 088 - P O Box 227, Zama Zama Store, , FRANKLIN, 4706 - *Dlamini*
278. Siziphiwe Baca - 970719 0716 085 - Esikhobeni Area, , COFIMVABA, 5380 - *Nogqala*
279. Luzuko Allen Sisilana - 840731 5674 084 - 368 Section C, Duncan Village, , EAST LONDON, 5200 - *Mpondo*
280. Anathi Dingiso - 910409 5441 086 - Ndungwana Area, , COFIMVABA, 5380 - *Mapipa*
281. Azwidohwi Mandevana - 900929 6535 083 - P O Box 2967, , SIBASA, 0970 - *Muthaphuli*
282. Makhora Maria Maja - 731219 0294 084 - Stand No 20064, , GA-MATLALA, 0742 - *Make*
283. Mzwamadoda Raymond Thompson - 860214 6201 087 - 1916 Nu 6, , MDANTSANE, 5219 - *Tyanase*
284. Vuyolwethu Ndzewu - 911225 6732 086 - 85 Mzamomhle Township, , GONUBIE, 5203 - *Kewuti*
285. Emmanuel Vusi Mashiyane - 771008 5811 088 - 3789 Ratanang Street, Villa Lisa, , BOKSBURG, 1460 - *Mkhwanazi*
286. Jappie Mokoena - 920525 5349 082 - 912 B Malunga Street, White City, , JABAVU, 1700 - *Magudulela*
287. Sandile Ndlovu - 960923 6416 086 - Stand No 509, Mshadza, , WHITE RIVER, 1240 - *Sithole*
288. Ngobani Lindokuhle Ntombela - 970621 5649 081 - Nhlahleni Reserve, , HLABISA, 3935 - *Hlabisa*
289. Simphiwe Mbhele - 980628 5616 083 - No 10310 Section 4, , MADADENI, 2951 - *Ndlazi*
290. Banele Wiseman Hadebe - 980730 5147 083 - Bethani, , BERGVILLE, 3370 - *Ndaba*
291. Jacob Senanye - 561122 5741 080 - 9614 Ugilogo Street, Zone 6, , PIMVILLE, 1700 - *Sekano*
292. Bafana Zubulone Lephoto - 710803 5321 086 - 6595 Extension 4, , ORANGE FARM, 1841 - *Mollo*
293. Takalani Mudjadi - 900117 5828 085 - Manyihi Village, , THOHOYANDOU, 0950 - *Mabila*
294. Ogodiseng Glenton Segwai - 970904 5566 087 - House No 1440a, , TLAKGAMENG, 8616 - *Elesang*
295. Napolion Mompoloki Motladiile - 910525 5483 081 - 47 Lesetuta Section, Moshana Village, , ZEERUST, 2880 - *Money*
296. Welcome Sonnyboy Mogotsi - 621102 6101 086 - 164 Serobele Street, , MADIKWE, 2840 - *Ndaba*
297. Chester Utlanang Sewedi - 760607 6361 085 - P O Box 1439, , GANYESA, 8614 - *Mokhutshane*
298. Percy Mamello Molale - 910304 5682 088 - 13033 Kraaipan, , TAUNG, 8584 - *Letselela*
299. Mahlatse Mohube Patrick Moretsele - 920120 5644 086 - Zone A, , LEBOWAKGOMO, 0737 - *Chuene*
300. Nzuzo Madlala - 980519 5858 082 - 7 Zimele Place, , TONGAAT, 4399 - *Magwaza*
301. Neliswa Regainah Sibande - 970801 0333 085 - 2267 Sefoloshe Street, , MHLUZI, 1053 - *Sebokwane*
302. Bongile Mzingeli - 970121 6130 082 - Maqhingeni Area, , LIBODE, 5160 - *Nethi*



303. Thamsanqa Mfanafuthi Biyela - 970806 6105 080 - H 2 – 1541 Inkankane, , , ESIKHAWINI, 3887 - *Mthembu*
304. Mlondi Mlungisi Ntimbane - 980806 5639 087 - Ward 4, Nzalabantu Reserve, , RICHARDS BAY, 3900 - *Mthiyane*
305. Basani Shylock Hlongwane - 830626 0336 089 - 23 Rio Grande Street, Westenburg, , POLOKWANE, 0699 - *Risenga*
306. Sonto Selby Hlongwane - 910414 5667 086 - 23 Rio Grande Street, Westenburg, , POLOKWANE, 0699 - *Risenga*
307. Lerato Patience Marara - 950228 0501 087 - 7584 Langa Street, Extension 31, , ROODEKOP, 1401 - *Molekwa*
308. Sibusiso Desmond Mkwanazi - 880509 5679 084 - 2 Lerotle Street, , , KWA THEMA, 1572 - *Hlubi*
309. Nicholas Sithole - 940328 5806 086 - 45731 Simunye Street, Extension 4, , DOBSONVILLE, 1700 - *Ngubo*
310. Markus Lawrance Lebia - 810914 5843 083 - Ramodumo Village, , , BOLOBEDU, 0802 - *Mashao*
311. Tiyiselani Tonic Makhuele - 890226 5646 082 - Babangu Village, , , GIYANI, 0826 - *Ngobeni*
312. Mpho Kenny Makua - 880118 5667 089 - Stand No 316, Mgabaka, , TAFELKOP, 0414 - *Nkadimeng*
313. Hlengiwe Ngcobo - 780129 0647 084 - 34 Kingfisher Creek, Veldervlei, , RICHARDS BAY, 3900 - *Nzimande*
314. Ntshebele Frans Mphaho - 730425 5593 088 - 82 Jerusalem Street, , , BOKSBURG, 0790 - *Mathakgana*
315. Matsobane Ephraim Gafane - 951217 6105 083 - Stand No 613, Mountain View Village, , SOVENGA, 0727 - *Letsoalo*
316. Kalabase William Gafane - 921216 6181 083 - Stand No 613, Mountain View Village, , SOVENGA, 0727 - *Letsoalo*
317. Mabule Johannes Motloutsi - 600420 5514 082 - Pulaneng Village, , , NAPHUNO, 0857 - *Makgoba*
318. Bheki Joseph Sethabana - 820717 6081 084 - Stand No 7164, Extension 17, , LESLIE, 2265 - *Zwane*
319. Tembelani Qhwalana - 750608 6086 088 - 16 / 6554 Ngqura Street, Extension 6, , MFULENI, 7100 - *Matiyase*
320. Bheki Patrick Nyandeni - 700126 5609 082 - A 1677 Ezakheni, , , EZAKHENI, 3381 - *Hudla*
321. Thabiso Andries Raboroko - 820806 5650 088 - 1092 Moopeloa Street, Tumahole, , PARYS, 9585 - *Seaka*
322. Johannes Siphso Skhosana - 681015 5315 084 - 12001 Extension 7, , , MHLUZI, 1053 - *Sindane*
323. Sibongile Christina Mazibuko - 730828 0448 085 - 1056 Moshoeshoe Street, Lynnville, , EMALAHLENI, 1039 - *Makhanya*
324. Gift Malapane - 770828 5982 089 - 1109 Mapetla Manotshe Street, , , CHIAWELO, 1818 - *Mathe*
325. Lwazi Selatole - 961010 5705 088 - 1672 Plum Street, Extension 3, , GELUKSDAL, 1500 - *Yende*
326. Bongumusa Aubrey Sibiya - 930707 6010 081 - 37 Forrester Street, Selection Park, , SPRINGS, 1591 - *Ntuli*
327. Sinalo Dasie - 950928 0762 080 - 14 Ntakubusi Crescent, Litha Park, , KHAYELITSHA, 7784 - *Gubula*
328. Nokwanda Liziwe Hadebe - 980329 0499 084 - Viedgesville, , , UMTATA, 5018 - *Siyotula*
329. Andries Boyboy Makgakga - 620211 5768 083 - 31735 Inkamela Street, Extension 15, , TSAKANE, 1550 - *Manaiwa*
330. Louis Obakeng Dilwane - 950804 5446 088 - 55 Khunou Section, , , LEKGALONG, 0300 - *Sibanda*
331. Limakatso Maimela - 651112 0571 088 - 7464 Drieziek 3, , , ORANGE FARM, 1805 - *Dlamini*
332. Kabelo Selemaboro - 961126 5365 085 - 4284 Phapho Street, Phase 1, , BRAAMFISCHER, 1728 - *Khanye*
333. Irvin Lethetsa - 920904 5624 085 - 10722 Mexican Poppy Street, , , PROTEA GLEN, 1818 - *Xaba*
334. Mcebo Romeo Chayi - 980228 6056 080 - 433 Aloe Road, Wyebank Kloof, , PINETOWN, 3610 - *Masango*
335. Mfundo Christopher Motha - 970814 5185 087 - Ntungwini, , , PIET RETIEF, 2380 - *Jele*
336. Ntobekok Given-Son Msweli - 840105 5715 082 - G 217 Umbuso Road, , , NTUZUMA, 4259 - *Magwaza*

337. Sandile Ndimande - 930524 5600 089 - G 1062 Magogqo Road, , KWA MASHU, 4360 - *Magubane*
338. Vusi Amos Shabangu - 770924 5691 083 - Stand No 1086, , MAPHANGA, 0449 - *Mahlangu*
339. Gosiamo Disemelo - 980908 5737 083 - Ga-Ratsara Village, , DINOKANA, 2868 - *Molefe*
340. Linda Willbie Ndlovu - 950425 5848 089 - Stand No 436, , ZWELITSHA, 1245 - *Nkhoma*
341. Lydia Theledi - 890217 0776 081 - Stand No 35, , MARITE, 1240 - *Masuku*
342. Hlulani Baloyi - 980928 5065 087 - 2181 Mafutsayane Street, , ORLANDO EAST, 1804 - *Mabasa*
343. Skhumbuzo John Mahlangu - 970504 6174 087 - B 252 Ramokgeletsane, , SIYABUSWA, 0472 - *Ndhlovu*
344. Nandi Nomcebo Mashego - 900803 1017 084 - Stand No 448, Mganduzweni Trust, , WHITE RIVER, 1240 - *Masango*
345. Pemla Norah Nkosi - 670108 0393 082 - 1041 Block Aa, , SOSHANGUVE, 0152 - *Motsepe*
346. Bhekumuzi Elliot Chauke - 910518 5069 083 - 4094 Mahlalela Street, Extension 2, , CHIAWELO, 2001 - *Mathebula*
347. Msawenkosi Bongimpilo Danisa - 940314 5972 086 - Sgubudu Area, , LOUWSBURG, 3150 - *Msezane*
348. Elliot Mbuyiseni Mhlungu - 820111 5845 089 - Block D, , EMONDLO, 3105 - *Zungu*
349. Linda Shabalala - 971127 5891 086 - 8 Telman Road, Barry Hertzog Park, , NEWCASTLE, 2940 - *Khumalo*
350. Kagiso Clifford Kuduntwane - 950515 5574 089 - 2394 Extension 3, Blydeville, , LICHTENBURG, 2740 - *Monatle*
351. Nqobile Thandokuhle Shabalala - 900419 1007 080 - 8 Telman Road, Barry Hertzog Park, , NEWCASTLE, 2940 - *Khumalo*
352. Mathipa Legodi - 870724 5453 081 - P O Box 477, , BOCHUM, 0790 - *Makgato*
353. Musawenkosi Goodman Cele - 760813 5690 082 - Private Bag X818, , PORT SHEPSTONE, 4240 - *Mthembu*
354. Hangwani Sheila Ndou - 970607 0156 081 - Tshivhilidulu Village, , NZHELELE, 0993 - *Netshivhilidulu*
355. Nontando Joyce Mosia - 980309 0948 082 - 2385 Ezenceleni, , WARDEN, 9890 - *Dlamini*
356. Ramasela Sarah Baloyi - 670218 0508 082 - 14670 Extension 75, , POLOKWANE, 0699 - *Makgakga*
357. Swelihle Nsikelelo Thomo - 951215 5618 080 - 14631 Extension 15, , EMBALENHLE, 2285 - *Mhlophe*
358. Zabo Zakhele Nxumalo - 860924 6008 080 - 14631 Extension 15, , EMBALENHLE, 2285 - *Mhlophe*
359. Dakalo Calphus Mathivha - 981011 5807 086 - 3810 Extension 2, Ivory Park, , MIDRAND, 1685 - *Mobela*
360. Boineelo Alfornia Thobega - 961230 5458 088 - 461 Grifath Road, , NEW CLARE, 2093 - *Tlale*
361. Bennet Tebogo Basiwe - 790922 5691 083 - 70/2 Esselen Park, Extension 1, , TEMBISA, 1632 - *Mohale*
362. Innocent Simangalisu Nzoyiya - 881007 5256 085 - X 76, Emalangeni, , HAMMARSDALE, 3700 - *Makhaye*
363. Setswale Linah Sekgobela - 571023 0304 080 - Selepe Village, , ATOK, 0949 - *Mathipa*
364. Geelbooi Patrick Mahlangu - 820904 6065 081 - 7 / 6 Melville Lefko, , SUNNYSIDE, 0002 - *Shabangu*
365. Fanie Koper - 900723 5941 081 - 173 Damrose Village, , KURUMAN, 8460 - *Cooper*
366. Keabetswe Patrick Ditshabe - 800903 6386 087 - House No 3843, Mapoteng, , SESHEGO, 8447 - *Holele*
367. Amanda Nqobile Mtshali - 950123 1095 082 - 131 Woodridge Estate, 176 Blamley Road, , MONTCLAIR, 4100 - *Gasa*
368. Manqoba Ephraim Cebisa - 860926 6495 084 - Nyandezulu Location, , PORT SHEPSTONE, 4240 - *Zuke*
369. Xolani Prince Dominic Shabalala - 830917 6196 084 - 8 Telman Road, Barry Hertzog Park, , NEWCASTLE, 2940 - *Khumalo*
370. Thandi Yvonne Maria Mthembu - 681017 0333 088 - D 52727 Dube Village, , STANGER, 4400 - *Nxumalo*

371. Sthembiso Thethani - 950910 5899 083 - 4249 Princess Maoliya Road, Gamalathe Township, , PORT SHEPSTONE, 4200 - *Gcaba*
372. Thubalakhe Sikhakhane - 971225 5424 088 - Nkande Area, , , BLOODRIVER, 3100 - *Ndabinde*
373. Thabani Praisegod Nkosi - 760928 5330 081 - Block B 2215, , , EMONDLO, 3105 - *Ndlovu*
374. Philemon Thulani Hlongwane - 740512 6308 083 - C 863 Newtown C, , , INANDA, 4110 - *Masuku*
375. Bridgette Munyai - 931103 1400 080 - 8244 / 138, 1 Buthu Street, , OLIEVENHOUTBOSCH, 0187 - *Tleane*
376. Sibongiseni Ngubane - 960901 5189 086 - Emavondweni, , , CREIGHTON, 3263 - *Mbuthwa*
377. Sinenhlanhla Nompilo Ngcobo - 941106 0290 087 - L 638 Umgugu Area, , , UMBUMBULU, 4105 - *Ngidi*
378. Mkhulu Alfred Montle - 830101 7984 083 - No 1625 Zone 6, Extension 3, , SEBOKENG, 1983 - *Nhlapo*
379. Sphamandla Lucas Phalathi - 851215 6457 083 - Welwadene Area, , , PIET RETIEF, 2380 - *Jele*
380. Vongani Trinity Tambani - 930209 5797 081 - Nkavele Village, , , MALAMULELE, 0982 - *Netshifhefhe*
381. Zintle Makinana - 950902 0556 081 - 210 Mount Coke Forest, , , KING WILLIAMS TOWN, 5801 - *Mgoli*
382. Yamnkela Tuntulwana - 970513 1086 089 - 1218 Buchanani Street, Ginsberg, , KING WILLIAMS TOWN, 5600 - *Mpetsheni*
383. Sinesipho Tokota - 971203 5799 080 - Tshabo Location, , , KING WILLIAMS TOWN, 5600 - *Somtsora*
384. Sisanda Mogoere - 970215 0742 080 - 9998 Walter Sisulu Street, , , PHELINDABA, 9323 - *Ntsetho*
385. Ntsika Muncu - 961204 6033 083 - 9539 Nu 3, , , MDANTSANE, 5201 - *Mduzana*
386. Kholofelo Sarah Masetlane - 880414 0554 087 - 11 Greenwood, 100 Olympus Road, Faerie Glen, PRETORIA, 0081 - *Makua*
387. Thelma Thabang Tauwatswala - 880528 0701 081 - 57066 Extension 22, Lusaka, , MAMELODI EAST, 0122 - *Lamola*
388. Mojalefa Godfrey Nguta - 970811 5645 086 - 406 Borda Location, , , TWEESPRUIT, 9770 - *Gaba*
389. Ramatsimele Margaret Matjeke - 650626 0600 085 - P O Box 90, , , CHUENESPOORT, 0745 - *Phogole*
390. Nomthandazo Dina Phakathi - 960203 0214 088 - 1512 Marlin Crescent, , , LAWLEY, 1828 - *Mlangeni*
391. Zwelihle Mondli Khumalo - 820707 6971 087 - P O Box 709, , , ESTCOURT, 3310 - *Shezi*
392. Tebogo Makhubele - 920501 1208 085 - 17882 Extension 8b, , , SOSHANGUVE, 0152 - *Rikhotso*
393. Shadreck Mashile - 811224 5390 088 - P O Box 2284, , , ACORNHOEK, 1360 - *Mokoena*
394. Zanele Hloniphile Xulu - 980831 1005 083 - Kwadamba Area, , , CEZA, 3866 - *Mngoma*
395. Deric Mlindeli Maphitshi - 730710 5292 082 - Nodalane Location, , , IZINGOLWENI, 4260 - *Jali*
396. Mpho Trevor Nyakane - 770522 5678 082 - 85 Esphethsheni, , , TEMBISA, 1632 - *Motloung*
397. Mandla Themba Singwane - 860821 5623 085 - P O Box 5129, Shongwe Mission, , MALALANE, 1336 - *Thwala*
398. Sibusiso Eugene Mgidi - 891029 5234 084 - 1392 Mashele Stand, , , WINTERVELDT, 0198 - *Mawela*
399. Tshilidzi Justice Mudau - 810607 5437 084 - P O Box 275, , , NZHELELE, 0993 - *Tshishonga*
400. Mokano Andries Peete - 890112 5940 081 - 35 Thulare Street, , , ATTERIDGEVILLE, 0008 - *Ramatshela*
401. Katiso Theron Mahlombe - 960126 5476 081 - 656 Ramokonopi East, , , KATLEHONG, 1431 - *Molotsane*
402. Palesa Moloi - 901111 0185 087 - 9339 Manetsi Street, , , DOBSONVILLE, 1863 - *Radebe*
403. Jacob Johannes Japie Du Plessis - 930710 5075 089 - 42 Milan Street, , , EVANDER, 2500 - *Barrows*
404. Donald Ernest Bonane - 781202 5648 081 - 2573 Nyakallong, , , ALLENRIDGE, 9460 - *Mudime*



405. Tsatsapane Sylvesta Mokgethoa - 830929 6080 085 - Driekop, , , PRAKTISEER, 1129 - *Letsoalo*
406. Thabo Molepo - 851212 5591 087 - 1770 Block P, , , SOSHANGUVE, 0152 - *Raolane*
407. Tameron Huyster - 920928 0090 083 - 41 Waratah Street, , , SALDANNA, 7395 - *Marcus*
408. Saynoss Themba Mabuza - 810225 5674 083 - 15 Park Street, , , CULLINAN, 1000 - *Mogano*
409. Celeste Ilze Celliers - 970701 0438 084 - 588 Ntloko Street, Khayalitsha, , QUEENSTOWN, 8320 - *Mgwaxela*
410. Dikeledi Esther Mamatlepa - 580907 0723 084 - Seokodibeng Area, , , ATOK, 0749 - *Phasha*
411. Mathemba Nozinyo - 920505 6612 084 - T 11 Langius, , , FRANSCHOEK, 7620 - *Bonakele*
412. Ramaredi Stephina Masemola - 590305 0827 088 - P O Box 89, , , MASEMOLA, 1060 - *Makuba*
413. Febbre Malepe - 900605 6042 086 - P O Box 384, , , JANE FURSE, 1085 - *Mafiri*
414. Khwezi Mdletshe - 960205 0353 089 - B 742, , , UMLAZI, 4001 - *Zondi*
415. Sphamandla Sipho Mvelo Mafuleka - 920812 6305 085 - P O Box 52, , , MKUZE, 3965 - *Mkhaliphi*
416. Nontobeko Mercy Xulu - 971107 1214 087 - 135 Foreman Road, Clare Estate, , DURBAN, 4001 - *Mlotshwa*
417. Noluthando Sikhakhane - 970408 0802 083 - Ezinkondlwane Area, , , NQUTU, 3135 - *Mkhize*
418. Patrick Mziwakhe Mana - 760707 5854 088 - 56917 Makaza, , , KHAYELITSHA, 7784 - *Nokwe*
419. Tshegofatso Tlhopane Samuel Ratlhagane - 900717 5441 084 - 585 Block A, Hans Kekana View, , MAJANENG, 0402 - *Mhlarhi*
420. S'thandiwe S'nenhlanhla Luthuli - 961029 0684 080 - P 100 Main Road, , , NDWEDWE, 4342 - *Mathibela*
421. Joseph Pule Madimabe - 730201 5575 080 - 1334 A Zone 9, , , MEADOWLANDS, 1852 - *Duwo*
422. Bongane Alpheus Maseko - 800201 5745 084 - Stand No 2052, Rockville, , HILLBROW, 0400 - *Malobola*
423. Bhekisisa Henry Mtshali - 820303 7677 087 - 2728 Mlaba Village, , , HAMMARSDALE, 3700 - *Ngobese*
424. Malesela Johannes Ramotebele - 970501 5335 081 - P O Box 865, , , LEBOWAKGOMO, 0232 - *Kekana*
425. Joy Lebo Makobe - 950815 0464 082 - 209 Airport Park, Phase 2, , GERMISTON, 1401 - *Nhlengethwa*
426. Phethahalo Junior-Perfect Hempe - 980708 5417 086 - 1551/1 Albany Street, Phase 3, Beverly Hills, EVATON, 1984 - *Setsooa*
427. Msawakhe Clinton Radebe - 780702 5417 081 - V 1259, , , UMLAZI, 4001 - *Madikizela*
428. Thembelihle Manana - 790718 0424 086 - 1661 Dlamini No 1, Sarili Street, , SOWETO, 1860 - *Chabangu*
429. Moloko Lucky Khubai - 920229 6034 088 - House No 21444, , , CAPE TOWN, 7570 - *Malaka*
430. Karabo Mbuli - 971215 5155 089 - 403 A White City, , , JABAVU, 1717 - *Dubazana*
431. Johannes Ntiseng Malumane - 790819 5287 088 - House No 4, Harmony Hill, , SABIE, 1260 - *Malope*
432. Mxolisi Mshengu - 980920 5704 088 - Mbabani Location, , , MSINGA, 3010 - *Shabalala*
433. Lemogang Hellen Maboja - 940107 0346 086 - Stand No 2101, , , SEABE, 0417 - *Moroke*
434. Sibongile Mbesi - 940202 1728 083 - 6495 Nkumanda Street, Kwanokuthula, , PLETTENBERG BAY, 6600 - *Magida*
435. Thabiso Mhlungu - 981022 5604 084 - Kwa-Xuba Location, , , GAMALAKHE, 4240 - *Lushaba*
436. Thabo Linton Hlatshwayo - 830105 5807 089 - 15919 Sikwenene Street, Extension 16, , VOSLOORUS, 1475 - *Thabede*
437. Monwabisi Simon Nkosi - 920109 5419 086 - 4784 Masechaba View, Extension 2, , DUDUZA, 1796 - *Sivela*
438. Praisegod Melusi Ngubeni - 760202 6339 081 - 170 Zikode Street, Mpilisweni Section, , THOKOZA, 1426 - *Msomi*

439. Dion Mofaladi - 980407 5128 088 - 7837 Maseko Street, Extension 6, Ratanda, HEIDELBERG, 1441 - *Kubheka*
440. Cabangile Precious Ndlovu - 751208 0436 089 - Ofafa Location, , , IXOPO, 3276 - *Khanyile*
441. Thamsanqa Buthelezi - 970713 5047 083 - 1391 Themba Street, , , THABONG, 9463 - *Mdungwana*
442. Nomngenisu Ncanjane - 950920 1282 085 - Bungu Area, , , LIBODE, 5160 - *Mtshubungu*
443. Welcome Chitondo - 981024 5564 086 - Vuma Reserve, , , ESHOWE, 3815 - *Luthuli*
444. Nkele Maria Kgaditsoe - 980904 0306 081 - P O Box 424, , , APEL, 0739 - *Phasha*
445. Bongani Mfana Nkwamba - 940721 6141 083 - Stand No 242, Sinqobile, , BARBERTON, 1300 - *Phakathi*
446. Jeanette Mamorena Sepeng - 580507 0851 081 - House No 0430, Oustad, , MADIKWE, 0275 - *Mfola*
447. Nicholus Thembinkosi Ngomane - 930225 6088 080 - P O Box 5111, , , UTHOKOZANE, 1346 - *Mkhabela*
448. Khathutshelo Evans Phungo - 890511 6200 082 - 2702 Pontecity, Berea, , JOHANNESBURG, 2198 - *Sundani*
449. Lesiba Kabelo Seete - 940901 5549 086 - 170 Peter Mokaba Street, , , LOTUS GARDENS, 0025 - *Ngulube*
450. Lerato Riccah Letsoalo - 940317 0713 082 - 7316 / 58 Block Vv, Extension 4, , SOSHANGUVE, 0152 - *Modise*
451. Phalanndwa Joseph Ndou - 771225 6252 084 - Stand No 57, Tshidangalani, , VHEMBE, 0970 - *Demana*
452. Mafiyane Johannes Tlaka - 580425 5879 082 - Zamane Village, , , JANE FURSE, 1085 - *Phatlane*
453. Nhlanhla Rashilo Mdhuli - 941002 6325 086 - Stand No 1083, Simile Location, , SABIE, 1260 - *Gorden*
454. Makhosonke Bheki Mashaba - 970122 5841 083 - 12314 Eureka Park, Meloding, , VIRGINIA, 9430 - *Mali*
455. Hlanganani Penny Mthombeni - 910207 5576 087 - P O Box 7741, , , NAMAKGALE, 0870 - *Mhlarhi*
456. Humbulani Sigidi - 950807 5900 087 - P O Box 5772, , , THOHOYANDOU, 0950 - *Nekhumbe*
457. Ntsundzuka Palmer Mathye - 961117 5675 086 - 915 A Mabitsela Street, Zone 5, , MEADOWLANDS, 1717 - *Chauke*
458. Mamashemong Francina Dikgole - 681226 0717 089 - 1278 Zone 5 E, , , SESHEGO, 0742 - *Mamolele*
459. Hlalephi Dlame - 950730 0816 084 - Emaqhasnabeni Area, , , NQUTU, 3139 - *Njoko*
460. Sindiswa Precious Sekgale - 970910 0516 084 - Dan Extension 2, , , TZANEEN, 0850 - *Shitlangu*
461. Nhlalohlle Victor Khanyile - 980806 5975 085 - P 715 Umlazi Township, , , UMLAZI, 4001 - *Dladla*
462. Sibusiso Mazibuko - 960608 5936 081 - Emqedandab Loskop, , , ESTCOURT, 3310 - *Mabaso*
463. Rosemary Smangele Bhuda - 820531 0559 080 - 1460 Block Xx, , , SOSHANGUVE, 0152 - *Ntombela*
464. Moses Mooshe Ngomane - 820609 5766 080 - Stand No 1423, , , KABOKWENI, 1245 - *Mathebula*
465. Tendani Confidence Mudzanani - 700420 1198 087 - Tshifudi, , , THOHOYANDOU, 0950 - *Mafenya*
466. Lillian Sheila Moloto - 680818 0523 086 - 6 Lisa Street, Del Judor Extension 4, , WITBANK, 1044 - *Simelane*
467. Morgan Moteke Moleya - 870309 5799 087 - 1263 Stinkwater, , , REFENTSE, 0400 - *Madiba*
468. Confrance Thobane Mbuyane - 971007 6173 082 - Stand No 649, Daantjie Trust, , NELSPRUIT, 1216 - *Kgole*
469. Siphesihle Jwara - 980704 0683 087 - J 1427 Umlazi Township, , , UMLAZI, 4001 - *Dlamini*
470. Johannes Mashamaite - 980520 5926 085 - P O Box 2010, , , KOLOTI, 0709 - *Maupye*
471. Mmabuti David Molekoa - 631124 5483 081 - Stand No 10233, Semoneng Village, , GA-MATLALA, 0742 - *Mashalane*
472. June Samuel Tsotetsi - 890627 5589 083 - 2498 Extensio N3, , , VREDE, 9835 - *Tshabalala*

473. Hendrick Neeke Mabula - 850616 6697 084 - 1890 M Extension, , , SOSHANGUVE, 0152 - *Molefe*
474. Malcom Barry Smith - 781229 5593 082 - 56 Nolissa Road, Treasure Beach, , DURBAN, 4001 - *Mkhize*
475. Sabelo Shabalala - 960926 6540 086 - P O Box 369, , , LOSKOP, 3330 - *Zwane*
476. Kagiso Lenkeme Ngoako - 850829 0839 087 - 126 Block Aa, Lephengville, , MAJANENG, 0402 - *Kwenaitse*
477. Liyolo Lithana - 981209 5798 087 - Mjulwa Area, , , TSOMO, 5400 - *Memani*
478. Maureteous Makgabo Mokwele - 951203 0455 088 - Kanana Village, , , MOLETJIE, 0709 - *Mokgolo*
479. Mphoentle Mmutlane - 980512 0263 085 - House No 1 , 50th Avenue, , TLHABANE, 0300 - *Rapoo*
480. Samukelo Vundla - 980529 5602 083 - Gomoina Location, , , IMPENDLE, 3200 - *Mgwaba*
481. Gabriel Tshwene Thukakgomo - 880516 5448 089 - 5360 Masechobaview, , , DUDUZA, 1496 - *Tolo*
482. Noxolo Angel Madinane - 981019 1151 086 - Kwabhekuzulu Area, , , ESTCOURT, 3310 - *Mazibuko*
483. Anathi Gumba - 950905 1413 087 - Nyhwara Area, , , DUTYWA, 5000 - *Methuko*
484. Romario Hurshelle Majiedt - 981223 5254 082 - 9980 Grasland, , , HEIDEDAL, 9300 - *Carson*
485. Miranda Nyakaza - 930310 0976 082 - 44214 Gogaza Street, Makhaza, , KHAYELITSHA, 7784 - *Isaac*
486. Vashti Natalie Duvenage - 960723 0175 088 - 35 Beyers Street, , , KRUGERSDORP, 1739 - *Page*
487. Njabulo Sydney Khumalo - 791216 5740 084 - 251 Voortrekker Street, , , GREYTOWN, 3250 - *Langa*
488. Nothando Teresa Kheswa - 871205 0521 089 - 1116 Butterfly Street, , , NEWLANDS WEST, 4037 - *Madlala*
489. Thembeke Buyisile Buthelezi - 950626 1558 081 - Dunduluzi Area, , , NONGOMA, 3950 - *Zulu*
490. Chantel Mnyandu - 870526 0184 086 - 66 Wolraad Road , Austerville Drive, , WENTWORTH, 4052 - *Damoyi*
491. Agobakwe Margaret Mmotlana - 961031 0373 086 - 83 Sophia Izedinova Street, West View, Extension 12, DANVILLE, 0183 - *Manabalala*
492. Quinton Lehlohonolo Zanazo - 910824 5369 089 - 2525 Mlandi Street, Galeshewe, , KIMBERLEY, 8345 - *Matika*
493. Kgomotso Madikiza - 790611 5933 088 - 5738 Majola Street, Orlando East, , JOHANNESBURG, 1804 - *Sello*
494. Joseph Sthembile Koyana - 831223 6777 083 - 10149 Zone 7 B, , , SEBOKENG, 1983 - *Kasa*
495. Siyanda Funokuhle Duma - 961226 6407 082 - 126 Folweni Township, , , AMANZIMTOTI, 4126 - *Maphalala*
496. Zenzele Ginius Ngiba - 850713 5353 080 - 3 Palmview Gardens, 247 Alexander Road, , PIETERMARITZBURG, 3201 - *Mthethwa*
497. Sizwe Johannes Ntsau - 910214 5719 089 - 789 Gaborone Street, Slovo Park, , SPRINGS, 1559 - *Skosana*
498. Smanga Johannes Dumane - 970127 5885 089 - Mvutshini Reserve, , , ESHOWE, 3815 - *Nzuza*
499. Thembelani Zulu - 961224 5743 086 - Lourdesi A/A, , , UMZIMKULU, 3297 - *Mofokeng*
500. Phindile Shepard Qulisa - 890730 5208 082 - 3 Wessels Street, Hilton, , BLOEMFONTEIN, 9300 - *Gaju*
501. Glenda Chauke - 910222 1219 087 - Majosi Area, , , KHOMANANI, 0933 - *Ngobeni*
502. Tshiketani Verah Chauke - 980306 0637 087 - P O Box 279, , , KHOMANANI, 0933 - *Ngobeni*
503. Smiso Sivion Mbatane - 970217 5661 083 - 2354 P Shabalala, , , CLERMONT, 3610 - *Ngcobo*
504. Teboho Phenius Mokone - 791207 5276 088 - 4830 Extension 3, Drieziek, , ORANGE FARM, 1841 - *Nkitsing*
505. Refilwe Zininzi Sekwena - 920325 0301 083 - 43 Budack Avenue, Extension 4, Glenvista, JOHANNESBURG, 2092 - *Mboyi*
506. Shelton Ramjee - 940822 5955 083 - 29231 Seuletsa Street, , , MAMELODI EAST, 0022 - *Sithole*

507. Themba Vincent Malinga - 720702 5663 083 - 4438 Thusi Village, , , ERMELO, 2350 - *Mathunjwa*
508. Tovhowani Mulaudzi - 950716 6137 088 - 50 Bourke Street, , , SUNNYSIDE, 0010 - *Sadiki*
509. Thato Olyn - 920624 6253 086 - House B 16, , , MOTHBISTAD, 8474 - *Gaserotse*
510. Given Mataba - 961207 5570 088 - P O Box 2073, , , PAULUSWEG, 0814 - *Phosa*
511. Iven Mataba - 961207 5571 086 - P O Box 2073, , , PAULUSWEG, 0814 - *Phosa*
512. Tebogo Forster Seolwana - 930117 5763 088 - Sunnyside, , , TZANEEN, 0550 - *Mapaila*
513. Tebogo Charity Mataba - 910815 1321 082 - P O Box 2073, , , PAULUSWEG, 0814 - *Phosa*
514. Sphamandla Xhayiya - 900521 5927 088 - 831 Mptime Street, , , SOWETO, 1801 - *Vuso*
515. Sello Albert Rasekhula - 911124 5572 082 - 565 Zone 2, Meadowlands, , SOWETO, 0407 - *Matshiye*
516. Nthabiseng Masike - 940328 0485 084 - 171 Nancefield Units, Pimville, , SOWETO, 1809 - *Mbhele*
517. Thembele Makasana - 960712 5276 082 - 12300 Extension 5, Nyamazana Street, , DOBSONVILLE, 1717 - *Kondile*
518. Godfrey Mabotja - 830420 5691 080 - 10244 Ezwelethu Street, Ivory Park, , MIDRAND, 1685 - *Manamela*
519. Karabo William Molepo - 901118 5690 086 - 287 Malaeneng, , , MOHLALETSE, 0702 - *Sekwati*
520. Nokwazi Jakwini - 930127 0979 084 - Ofafa Location, , , IXOPO, 3276 - *Ngcobo*
521. Nolvazi Magdeline Silwane - 960419 0397 083 - 1179 Mbheki Location, Bluegumbosch, , PHUTHADITJHABA, 9866 - *Kholopane*
522. Cecilia Molokane Matlakala - 741019 0394 084 - Private Bag X578, , , BURGERSFORT, 1150 - *Madire*
523. Abel Mogopa - 930728 5751 087 - Private Bag X9697, , , KOLOTI, 0709 - *Manaka*
524. Mfundo Lindokuhle Kweyama - 940825 5683 084 - Y 1748, Ephlani Vallley, , ISIPINGO RAIL, 4031 - *Ndimande*
525. Phumzile Fortunate Mthembu - 980823 0755 081 - J 1314 Umlzi Township, , , UMLAZI, 4001 - *Mthethwa*
526. Mpho Donald Mokwena - 860317 5646 085 - 245 Carinus Street, Meyers Park, , PRETORIA EAST, 0184 - *Lekala*
527. Nonsindiso Chonco - 970827 0663 080 - Hlokozi Location, , , HIGHFLATS, 3306 - *Gumede*
528. Butinyana Simon Motaung - 820111 6183 084 - 172 Makoane Village, , , WITSIESHOEK, 9870 - *Mthembu*
529. Lutendo Rodney Tshivhalo - 940428 6062 083 - P O Box 101, , , NZHELELE, 0993 - *Mureri*
530. Andile Headman Mathanjana - 821118 5836 082 - 1797 Extension 4, Khutsong South, , CARLETONVILLE, 2499 - *Nkalatya*
531. Mathibela Christina Mashilangoako - 490223 0192 083 - P O Box 1071, , , STEELPOORT, 1133 - *Tau*
532. Nkotopane Tebalelo Makua - 950322 1044 088 - P O Box 2189, , , JANE FURSE, 1085 - *Mashiane*
533. Masomelele Zitwana - 960327 5964 080 - Qutubeni Area, , , NGCOBO, 5050 - *Mposwa*
534. Anele Mthambeka - 780306 5889 081 - Sixholosini Area, , , NGCOBO, 5050 - *Nkalitshana*
535. Nhlanhla Lucky Dube - 810205 5751 081 - 7844 A Zone 6, , , DIEPKLOOF, 1864 - *Mosana*
536. Minenhle Wandile Motha - 981020 5818 084 - Bhokuzulu Area, , , ULUNDI, 3833 - *Zulu*
537. Mbalekwa Josiah Mahlangu - 540423 5659 082 - Stand No 155, , , KAMEELRIVIER, 0472 - *Mtswene*
538. Boitumelo Ernest Mokgalagadi - 850428 5949 080 - 7 – 9 New Main Road, , , KIMBERLEY, 8301 - *Maine*
539. Rethabile Moroane - 981213 5621 083 - 28 Duiker Street, , , BAVIAANSPOORT, 0039 - *Selolo*
540. Azwihofhano Leonard Ragimana - 670921 5803 088 - P O Box 3391, , , THOHOYANDOU, 0950 - *Nethengwe*
541. Sibabalwe Duncan Sikhonje - 910804 6030 088 - 7064 Extension 4, , , ORANGE FARM, 1841 - *Lupindo*
542. Nkosingiphile Ntuthuko Dladla - 880207 6075 085 - P O Box 705, , , KWANGWANASE, 3973 - *Khanyile*

## DEPARTMENT OF HOME AFFAIRS

NO. 339

07 APRIL 2017

**ALTERATION OF FORENAMES IN TERMS OF SECTION 24 OF THE BIRTHS AND DEATHS REGISTRATION ACT, 1992 (ACT NO. 51 OF 1992)**

The Director-General has authorized the following persons to assume the Forenames printed in *italics*:

1. Londiwe Percy Nxumalo - 900504 0508 087 - Gandhis Hill, No 54 Willow Crescent, TONGAAT, 4800 - *Londiwe Bhekuyise*
2. Motepele Gellboy Letsoalo - 811229 5346 089 - Stand No 329, Mentz, Dubula, MANKWENG, 0727 - *Motepele Chillboy*
3. Jwayelekile Nokuphiwa Makhanya - 810520 0972 080 - Po Box 2204, TONGAAT, 4400 - *Nokuphiwa Goodness*
4. Caroline Deborah Thomson - 910215 0098 080 - 22 George Way, Vredeklouf, Brackenfell, CAPE TOWN, 9560 - *Callie Deborah*
5. Mziwenyanga Nobasa - 780705 5852 082 - Mkambathi Area, LUSIKISIKI, 4800 - *Welile*
6. Ratsopa Peter Molapisi - 870920 5753 088 - 3747 Mooketsi Street, Lesedi, VRYBURG, 8600 - *Tshepo Brown*
7. Anelisa Mlambo - 980214 6141 080 - Mxokozweni Area, FLAGSTAFF, 4810 - *Alindile*
8. Xolelwa Sigijimi - 830723 1297 087 - Aa 55 Asazani, HERMANUS, 7200 - *Nobom*
9. Gary Garcy Van Der Merwe - 890117 5217 083 - 45 Sourig Street, Eastridge, MITCHELLS PLAIN, 7789 - *Faakhir*
10. Tessa Simon - 801031 0137 089 - 7 Molopo Street, Manenberg, ATHLONE, 7764 - *Sumaya*
11. Charles Hendricks - 570813 5117 086 - 10 Starling Street, New Horizon, Kleinvele, EERSTE RIVER, 7100 - *Charles Godfrey*
12. Justin Strydom - 890221 5041 087 - 8 Bickley Court, 286 Main Road, Kenilworth, CAPE TOWN, 7708 - *Valdemar*
13. Cosmas Zulu - 780518 5362 089 - E 1204 Mbalane Circle, Ntuzuma Township, KWA – MASHU, 4360 - *Teezet Cosmos*
14. Perpetua Kgomotlokwa Betty Lallie - 680613 0904 083 - 1065 Martt Street, GOODWOOD, 7460 - *Kgomotlokwa Betty*
15. Maisaka Sara Thema - 700305 0720 082 - No 146 Taung Station, TAUNG, 8585 - *Maisaka Mokgobja Sara*
16. Ndiliwele Mene - 690930 5717 080 - Dambuza Road, PIETERMARITZBURG, 3200 - *Ndiliwele Twinman*
17. Sebenzile Decorate Maboye - 971014 0947 081 - 58 Kings Road, BEDFORDVIEW, 2007 - *Jessica Sebenzile*
18. Ndali Rosina Modise - 920410 0272 086 - 234 Megalane Street, VENTERSDORP, 2710 - *Kelebogile Ndali Rosina*
19. Mamodiane Nelson Maleka - 831003 6014 087 - Ga – Masemola Village, JANE FURSE, 1085 - *Mathome*

20. Jameson Jabulani Gumbi - 591117 5297 087 - Mzingazi Area, KWAMBONAMBI, 3915 - *Jameson Mathuluzi*
21. Zamokuhle Nomvula Nkosi - 970303 1479 082 - Po Box 118, LOTHAIR, 2370 - *Zamokuhle Hafsah*
22. Moses Aba - 780401 5247 081 - 24174 Soul City, KIMBERLEY, 8300 - *Moses Shims Mxolisi*
23. Bobby Tihage - 850125 5429 085 - 107 Masilo Street, LETHABONG, 0300 - *Bobby Tshepang*
24. Nosonwabise Nyingwa - 970216 0693 083 - Mampondomiseni Area, NGQELENI, 5740 - *Nosonwabise Sisanda*
25. Nandzumuni Sophie Chauke - 800319 0699 088 - Po Box 1579, MALAMULELE, 0982 - *Minkateko Success*
26. Kgomotso Modiselle - 900526 0427 083 - 1315a Newtown, MMAKAU, 0194 - *Kgomotso Tebogo*
27. Magalane Granny Moshidi - 820201 0575 086 - 19 King George, 96 Park Central, JOHANNESBURG, 2000 - *Rose Magalane*
28. Dolazana Mkhungwane - 910212 1407 089 - Moyeni Area, LIBODE, 5160 - *Akhona*
29. Shaeema Ebrahim Mahomed - 901102 0224 083 - 16 Soofie Saheb Drive, Riverside, DURBAN, 4015 - *Shaeema*
30. Bigboy Sbongiseni Xaba - 790109 5351 088 - Po Box 63784, PORT SHEPSTONE, 4240 - *Sbongiseni Bigboy*
31. Phumzile Quintin Hlophe - 980604 6270 089 - No 544n Nhlazatshe, ELUKWATINI, 1192 - *Phumlani Quintin*
32. Sithemba Lucky Mditshwa - 950917 6122 084 - Ndeza Area, BIZANA, 4800 - *Sinethemba Lucky*
33. Potsiso Monareng - 950917 5409 086 - Po Box 9314, BUSHBUCKRIDGE, 1280 - *Rivaldo Potsiso*
34. Dikeledi Mathabathe Maila - 960521 0650 088 - 820d Embalenhle , Extension 11, EVANDER, 2280 - *Dikeledi Matseke*
35. Tebogo Kgotatso Ratau - 900831 0204 080 - 1754 Malumulela Street, Extension 2, MAMELODI GARDENS, 0122 - *Mologadi Tebogo Kgotatso*
36. Nondumiso Manyaka - 980627 0785 083 - Stand No 175 , Phola, KWAMHLANGA, 1072 - *Nondumiso Tumelo*
37. Mirriam Jonas - 440819 0166 083 - House No 404, Magojaneng, KURUMAN, 8460 - *Keoagile Miriam*
38. Kholeka Nonhle Ngqulunga - 940128 1269 085 - Thokoza Area, ULUNDI, 3838 - *Simphiwe Lulekwa*
39. Sidney Radebe - 910812 5979 080 - 3565 Msimanga Street, ORLANDO EAST, 1804 - *Siphon Sidney*
40. Matjie Josephina Bopape - 300713 0233 085 - House No 593, LENYENYE, 0857 - *Masodi Matjie Josephina*
41. Fawelwa Angel Gwashu - 720621 0836 082 - W 52 Mbende Street , Site B, KHAYELITSHA, 7784 - *Fanelwa Angela*



42. Pazama Sicithi - 820204 1088 083 - Caguba Area, PORT ST JOHNS, 5120 - *Pazama Sakhe*
43. Wandile Soli - 870324 6228 085 - Ngqanda Area, LADY FRÈRE, 5410 - *Wandisile*
44. Zanele Qukula - 950628 0892 081 - Nyunduza Area, CENTANE, 4980 - *Zenande Zanele*
45. Kegomoditswe Selinah Matepe - 980406 0562 085 - 715 Phase 1, FREEDOM PARK, 0300 - *Tshireletso*
46. Jeanette Tebogo Legari - 751208 0775 080 - E 345 Saron Section, PHOKENG, 0335 - *Khumoetsile Jeanette*
47. Elizabeth Hellen Phaladi - 861022 0753 089 - 11 – 3rd Avenue, ALEXANDRA, 3090 - *Elizabeth Hellen Maphaladi*
48. Tshepo Ngobeni - 920919 6189 086 - P O Box 3236, GIYANI, 0826 - *Tshepo Austin*
49. Mlungisi Lenton Ndaba - 950630 5972 082 - 56960 Pholasi, Nsimbini, UMBUMBULU, 4105 - *Mlungisi*
50. Deno Arendse - 941128 5108 080 - 29 Grieta Court, MANENBERG, 7764 - *Kyra*
51. Somandla Pita - 900101 6405 085 - Mzwini Location, EAST LONDON, 5200 - *Siphamandla Lottie*
52. Livhuwani Tshiovha - 980912 0466 086 - 3070 Poelano Street, Extension 4, NELLMAPIUS, 0162 - *Emmerentia Livhuwani*
53. Lavern Catherine Fortuin - 890410 0293 088 - 121 Laingsberg Road, HEIDEVELD, 7764 - *Laeegah*
54. Theodore Wilfred Smith - 540301 5030 084 - 22 Barka Street, Leiden, MITCHELLS PLAIN, 7700 - *Tariq*
55. Nontobeko Cyble Mdlalose - 771224 0660 087 - 29 Monte Vista, 280 Wakeleigh Road, BELLAR, 4094 - *Nontobeko*
56. Ntokozo Cosmas Mngadi - 950829 5968 088 - L 799 Twisa Road, KWA – MASHU, 4359 - *Treasure Ntokozo*
57. Mziwoxolo Fantileki - 791018 5475 087 - Imizizi Area, BIZANA, 4800 - *Mziwoxolo Hendrick*
58. Mervyn Jayaseelan Moodley - 481121 5162 088 - 24 Strelitz Place, WESTVILLE, 3629 - *Mervyn*
59. Kgale Godfrey Maila - 821105 5746 080 - P O Box 680, LEFALANE, 0741 - *Maboragane Godfrey*
60. Koutakae Kadrina Makuwa - 900226 1111 089 - 1320th Extensio 7, ATTERIDGEVILLE, 0008 - *Tebogo*
61. Thembinkosi Ezaxa Ngcobo - 751011 5376 080 - Tafukeni Area, PIETERMARITZBURG, 3201 - *Thembinkosi Isaiah*
62. Wealthy Matjie Rammala - 841215 0844 081 - Flat 144 213, Russel'S Place, Sophie De Bruyn, PRETORIA, 0002 - *Khumo Meriam*
63. Sawulina Marita Mathebula - 981114 0902 082 - Stand No 28, SELWANE, 1394 - *Shongile Martha*
64. Zaneshe Rathilal - 661120 5124 082 - 34 Blenford Crescent, Sunford, PHOENIX, 4068 - *Surendra*
65. Botela Obed Xaba - 500225 5633 084 - 517 Ezimangweni Area, Inanda, DURBAN, 3310 - *Majuba Johnson*

66. Emraz Sathar - 730519 5113 085 - 150 Sparks Road, D& D Height, Flat 43, DURBAN, 4023 - *Imraan*
67. Mohlopheki Andries Ngwenya - 870112 6253 082 - 2006 Mofaka Street, OLIEVANHOUTBOTCH, 2531 - *Masego Andries*
68. Cornelia Aletta Bastian - 830511 0195 083 - Randstraat 2, VREDENDAL, 8160 - *Cornelia Aletta Corné*
69. Zynah Amed - 920324 0130 089 - 350 Umngeni Home Affairs, Greyville, DURBAN, 4023 - *Kajol*
70. Sindiswa Nonhlanhla Montsho - 860609 0348 083 - No 7majuba Place, Albetsdal, ALBERTON, 1982 - *Sindiswa Precious*
71. Alvin Nkhanyiso Mbanjwa - 920609 5331 082 - Honey Ville Area, PIETERMARITZBURG, 3201 - *Nkanyiso*
72. Vivi Mafusi Maseko - 940823 0136 083 - No 2984 Ngcongwane Street, BETHLEHEM, 9701 - *Vivi Mafusi Buhlebendalo*
73. Siphwe Vezi - 970426 5205 086 - Nkambini Ward 19, UMTHWALUME , 4186 - *Simphiwe Wiseman*
74. Phikiswa Galada - 811204 0703 089 - Gusi Area, ELLIOTDALE, 5070 - *Phikiswa Nokwandisa*
75. Moshohli Frank Malema - 680606 5777 082 - P O Box 983 , LESHANE, 0724 - *Philemon Hosea*
76. Sonto William Sebiloane - 920420 5534 083 - 2918 Vergenoeg, Namahadi, FRANKFORT, 9830 - *Zondo William*
77. Tshepo Sydney Rabjanyana - 750923 5745 083 - 848 Sunway Village, BRITS, 0250 - *Matshehla Tshepo Sydney*
78. Kabelo Barnard Rankhumise - 890715 5823 089 - 28 Block F , Hani View, MAUBANE, 0407 - *Kabelo Rasenyeki*
79. Sebongile Lydia Majola - 901125 1318 083 - Plot 50 Barrage, VANDERBIJLPARK, 1900 - *Lydia Sebongile*
80. Nigel Page - 910116 5348 084 - Rhode Vos Block H2, HOUTBAY, 7872 - *Noorudeen*
81. Jonas Mahlangu - 851130 5997 080 - 2056 Mahlangu Street, Section G, MAMELODI WEST, 0122 - *Moses Jonas*
82. Jacob Mnisi - 861112 5470 084 - Stand No 649, Saaiplaas Village, SEHLAKWANE, 1047 - *Jacob Katlego*
83. Nonhlanhla Pretty Makhathini - 870322 1159 081 - Snathing Location, PIETERMARITZBURG, 3201 - *Zanile Hephzibah*
84. Dakule Morrison Mntunaye - 870710 6098 082 - Nguzeza Area, CENTANE, 4980 - *Viwe*
85. Idrees Engelbrecht - 880112 5165 087 - 34 Etna Crescent, Tafelsig, MITCHELLS PLAIN, 7785 - *Enrico John*
86. Kamoelo Makgobatlou - 981026 5546 088 - Private Bag X 4007, TZANEEN, 0850 - *King*
87. Phindile Dlamini - 981003 0685 088 - Building No 2, Babanango Road, NQUTU, 3135 - *Phindile Nonhle*



88. Tshidaho Yullice Tshihomu - 520320 0725 088 - Muhuyu, MUTALE, 0956 - *Tshidaho Eunice*
89. Seelane Romeo Moshidi - 940627 5687 085 - Ga – Masha Village, JANE FURSE, 1085 - *Setiba Romeo*
90. Vitha Vines Mathebula - 940626 5375 089 - 3263 Extension 21, KINROSS, 2270 - *Victor Vincent*
91. Sonile Gcwalisile Hadebe - 900526 0515 085 - Moolman Village, PIET RETIEF, 2380 - *Sthembile Sbonile Gcwalisile*
92. Thembitshe Mncube - 610729 5513 086 - 1714 Joe Slovo , Khutsong, CARLETONVILLE, 2499 - *Thembitshe Richard*
93. Zanele Sithole - 840801 1233 084 - Sobantu Area, PIETERMARITZBURG, 3201 - *Zanele Hawa*
94. Tshohlo Joseph Motinyane - 810318 5375 080 - 17768 Modutu Street, Extension 25, VOSLOORUS, 1475 - *Ntshohlo Joseph*
95. Bonga Amos Chutshela - 811207 5794 086 - 6081 Mdingi Street, SAMORA MACHEL, 7785 - *Bonga Maxwell*
96. Dirk Jacobus Lucas - 971125 5251 087 - 34 - 6th Avenue, Boston, BELLVILLE, 7530 - *Abigail*
97. Kgothatso Christofeline Ntsoane - 980821 1099 087 - Stand No 9002, MAPULANENG, 1280 - *Sekgololo Kgothatso Christofeline*
98. Sidwell Rakgwetja Letsebe - 711202 5731 080 - 1254 Section 4, Suurman Village, HAMMANSKRAAL, 0407 - *Sidwell Rakgweja*
99. Matshotleho Lonia Ngonelo - 951005 0342 087 - 5137 Mambalo Street, Phahameng Location, BULTFONTEIN, 9670 - *Nthabiseng Gloria*
100. Molepa Morerwa - 970702 5733 081 - 14793 Phatudi Street, MAMELODI EAST, 0122 - *Molepa Matsobane*
101. Fundile Mazinyo - 910220 5523 082 - 5251 Nu 2, MDANTSANE, 5219 - *Mfundiso*
102. Kgapei Simon Pitjeng - 970727 5564 087 - 20776 Extension 106, POLOKWANE, 0699 - *Tebalelo Kgapei Simon*
103. Priscila Kedibone Serurubele - 920110 0633 085 - Sr 264 South Ridge, Duin Street, JOHANNESBURG, 2091 - *Priscilla Neo*
104. Surprise Rachidi - 880627 5716 084 - 9060 First Street, Extension 7, ATTERIDGEVILLE WEST, 0008 - *Surprise Tseke*
105. Tapish Singh - 980214 5187 084 - 4b Florida Street, Lennoxton, NEWCASTLE, 2940 - *Keshav Hardew*
106. Faith Nonkululo Nokwali - 910905 0704 089 - 2374 Zambezi Teak, Extension 44, Rosslyn, PRETORIA, 0200 - *Mimosa Faith Nonkululo*
107. Jason Michael Halfon - 931222 5105 089 - D2 Quendon Mens, Quendon Road, SEA POINT, 8005 - *Jason Victor*
108. Asanda Flathela - 940106 0732 089 - Honeyville Township, Copesville, PIETERMARITZBURG, 3200 - *Babalwa*

109. Gladness Nompumelelo Khumalo - 940312 1063 082 - Mdulinde Reserve, MANDENI, 4490 - *Pretty Nompumelelo*
110. Ntandenkosi Lovemore Sitho - 800309 5656 084 - Walaza Village, STERKSPRUIT, 9762 - *Ntandenkosi*
111. Sakhe Volantiya - 970707 6317 081 - Winnie Mandela Drive, Phase 3, JOE SLOVO, 7441 - *Sanezo*
112. Rendani Baldwin Mulovhedzi - 740219 5708 087 - 4060 Pitch Street, ALEXANDRA, 2090 - *Rendani*
113. Nolubabalo Chamaine Nokwandisa Ngqulu – Wutu - 771017 0608 084 - 24125 Buso Street, Wallacedene, KRAAIFONTEIN, 7570 - *Nolubabalo Chamaine*
114. Xolile Gumede - 930523 0715 082 - Q 782 Umlazi Township , ISIPINGO RAIL, 4110 - *Xolile Landokuhle*
115. Rossy Reddy - 911109 0420 080 - 8 Gemsbok Road, Nackerville Township, GINGINDLOVU, 3800 - *Melanie Rossy*
116. Gezani Johannes Makota - 941021 5375 082 - 37107 Snadi Street, MAMELODI EAST, 0122 - *Joseph Karabo*
117. Maatla Moukangwe Seroka - 941129 5644 082 - 16 Mohope Street, DANVILLE, 3876 - *Raymond Kabu*
118. Ramphelane Edwell Phasha - 950328 5671 081 - P O Box 2286, DRIEKOP, 1129 - *Nkoane Edwell*
119. Chana Vorsatz - 900911 0345 081 - 193- 6th Avenue, GRASSY PARK, 7941 - *Rushana*
120. Mafiwa Rodney Manamela - 950830 5303 086 - 1837 Khoza Street, Phomolong Section, TEMBISA, 1632 - *Madumetja Rodney*
121. Jim Masia Maluleke - 890912 5347 082 - 55 Crown Court, 32 Minors Street, YOVILLE, 2198 - *Johannes Mabule*
122. Desiree Moshibe Kgarose - 900909 0772 080 - 767 Saligna Street, Ebony Park, TEMBISA, 1632 - *Machela*
123. Siphosethu Gxothani - 921029 6009 083 - 189 Songololo Street, Walmer Township, PORT ELIZABETH, 6000 - *Zukisani Siphosethu*
124. Nomaphelo Nompiso - 840718 0296 088 - 18556 Sunrise, Thabong, WELKOM, 9460 - *Nomaphelo Florence*
125. Josef Nkopane - 840514 5846 088 - 8100 Zone 6, Thembaletu, GEORGE, 6529 - *Jouseph Mahlomola*
126. Constance Njamela - 620317 0823 086 - 4287 Dimbaza, DIMBAZA, 5670 - *Constance Nontsikelelo*
127. Khonshiwe Audrey Nyambi - 660921 0524 080 - House No 1415b , Nkowankowa Villag, Ritavi, LETABA, 0870 - *Khonjhiwe Audrey*
128. Tabo Mbilini - 890926 6257 082 - 745 Voyani Street, KHAYELITSHA, 7783 - *Thabo*
129. Deacon Rasethapa - 800406 5514 089 - 2317 Phatudi Street, Mpetla Extension, MAPETLA, 1818 - *Deacon Elaia*

130. Tumelo Kopedi - 870117 5679 088 - 3311 Magoye Street, ORLANDO EAST, 1804 - *Kabelo Tumelo*
131. Luciano Colin Sello - 980910 5993 088 - 5261 Newtown Avenue, POSTMASBURG, 8420 - *Liciano Colin Neo*
132. Samkelisiwe Precious Mdladla - 920417 0755 085 - Ngoba Area, BERGVILLE, 3350 - *Samukelisiwe Fortunate*
133. Thakane Tabohane - 780427 0362 088 - 63314 Zone 16, SEBOKENG, 1284 - *Thakane Hazel*
134. Otlotleng Tlholo - 950617 5766 085 - P O Box 2, TLAKGAMENG, 8616 - *Gontse*
135. Ngwakwana Mmela - 970223 0675 086 - P O Box 509, GLEN COWIE, 1061 - *Ngwakwane Tokelo*
136. Hendrick Dikgale Matete Mashabela - 971109 5842 087 - Vergelelene Area, JANE FURSE, 1085 - *Dikgale Khothatso*
137. Sicelo Gwazela - 700328 6014 086 - Thulang Location, MALUTI, 4740 - *Sicelo Prince – Henry*
138. Tiisetso Albert Ralebofo - 981206 5351 081 - Marulaneng Village, GA – CHUENE, 0745 - *Andries Seupi*
139. Dikeledi Elizabeth Botsime - 790526 0432 086 - 27175 Vista Park, De Waal Street, BLOEMFONTEIN, 9301 - *Lethabo Elizabeth*
140. Trisha Pillay - 900729 0325 089 - 755 Block B, Flat 12 Zoutpansberg, SHALLCROSS, 4093 - *Trisha Leslie*
141. Jovano Cheslyn - 920127 5208 085 - 50 Jason Crescent, Woodlands, MITCHELLS PLAIN, 7785 - *Imtiyaz*
142. Musawenkosi Manyathi - 920403 5733 087 - No 1184 Mathukuza, NEWCASTLE, 2940 - *Musawenkosi Sibusiso*
143. Mokgano Boitumelo Phasha - 971024 0639 083 - Mashung Village, GA – NKWANA, 0740 - *Boitumelo Motjoadi*
144. Hlengani Cedric Mathebula - 670101 6207 083 - 44 Merano Crescent, KYALAMI ESTATE, 1684 - *Hlengani*
145. Ranie Pather - 560329 5158 089 - 14 Winnipeg Street, ALBERTON, 1450 - *Sathiakumar*
146. Nonyameko Mgqaleni - 930114 1211 089 - N 43 7th Avenue, Kayamnandi, STELLENBOSCH, 7600 - *Nonyameko Zoleka*
147. Sinazo Maxithi - 981110 1005 081 - Nowalala Area, TABANKULU, 5130 - *Sisanda Matshidiso*
148. Pretence Mokwena - 961203 0905 080 - Stand No 364, London Trust, BUSHBUCKRIDGE, 1280 - *Mbalenhle Kamogelo*
149. Kholichi Samuel Mhangwana - 670812 5208 084 - No 449 A Tiyani Street, NKOWANKOWA, 0870 - *Samuel*
150. Zukisa Tsamse - 820627 5511 082 - J – 6 Bassie Street, STELLENBOSCH, 7600 - *Pat Zukisa*
151. David Michel Lashawa - 840228 5183 083 - 51 Flallstaff Crescent, Eastridge, MITCHELLS PLAIN, 7789 - *Jiyaad*

152. Nowani Ngceni - 580205 0799 083 - 37794 Khali Street, Harare, KHAYELITSHA, 7525 - *Nohnise Nowani*
153. Mhloti Sandra Mabuza - 660417 0487 089 - Po Box 2818, TZANEEN, 0850 - *Gracious Sandra*
154. Kurneels Skerpioen - 911211 5625 083 - 772 Maboto Street, Ikhutseng, WARRENTON, 8530 - *Thapelo Kurneels*
155. Geraldine Charlotte Majoro – Phafula - 860724 0599 088 - 31 Lavender Hill, Woodhill Estate, POLOKWANE, 0700 - *Geraldine*
156. Buti Tshepiso Sewedi - 970710 5898 085 - Thibogang, GANYESA, 8613 - *Tshepiso*
157. Kgwaripane Markterish Phogole - 960912 5925 080 - 325 Moshoeshoe, KATLEHONG, 1431 - *Kgwaripane Macterish*
158. Clinton Toni - 920125 1280 082 - 29 Du Preez Street, Sidwell, PORT ELIZABETH, 6000 - *Zande – Lee Lynn*
159. Mogomotsi Andries Diboka - 850415 5765 087 - 13028 Zone 3 Extension, THABA-NCHU, 9780 - *Mogomotsi Andrew*
160. Nokuphiwa Mdingi - 870307 1295 084 - 17 Slovo Street, CERES, 6835 - *Amikhaya Nokuphiwa*
161. Didintle Liesbeth Motlhabenyana - 950126 6250 081 - 360 Qhoo Village, TAUNG, 2400 - *Mogomotsimang Looseboy*
162. Nomethe Rebecca Dlamini - 890329 0391 082 - 181 Tlali Street, Nyakallong, ALLANRIDGE, 9490 - *Nobuhle Rebecca*
163. Siphesihle Anele Sibiya - 821109 0504 080 - 3100 Kool One Road, Chesterville, Extension 1, DURBAN, 4091 - *Silindile Yvonne*
164. Feitjie Halekgobe Mahatalle - 850613 0861 089 - 11247 Oriental Street, Extension 7, MOHLAKENG, 1759 - *Faith Feitjie*
165. Angel Mkhize - 631201 0415 084 - 10 West Mead Road, WESMEAD, 3610 - *Angel Dudu*
166. Nonkanyiso Gonya - 971111 0985 085 - Nenga Area, MQANDULI, 5080 - *Naledi Nonkanyiso*
167. Fano Lindi Shabalala - 850915 6572 085 - P O Box 658, NQUTHU, 3136 - *Sibusiso Thembinkosi*
168. Nicholas Hendrik Hofmeyr Wicht - 880813 5049 086 - 14 Krossever Street, Berlin, GERMANY, 10245 - *Leopold*
169. Jan Willem Van Der Westhuizen - 820710 1371 089 - 42 Sandfort Street, Oakdale, BELLVILLE, 7530 - *Sarah Jane*
170. Gudy Judith Martha Mona - 920416 0678 081 - 586 Zone 6, LETLHABILE, 0264 - *Judith Rebiditswe*
171. Dumehezi Jordan Ndlovu - 961205 6285 086 - 18 16th Street, Orange Grove, JOHANNESBURG, 2192 - *Mayibongwinkosi Jordan*
172. Xolani Birthwell Jezile - 770916 5720 086 - 73 Leopard Street, 44 Yellowwood Estate, Theresa Park, PRETORIA, 0182 - *Xolani*
173. Mafhafhu Elias Nelutshinde - 660603 5964 087 - Plot 28, Heuningklip, MULDERSDRIFT, 1739 - *Zebediela Elias*

174. Nomgqibelo Esther Dlamini - 930814 0193 085 - No – 1945 Evaton North, EVATON, 1984 - *Ntombifurthi Esther*
175. Muzikayise Michael Hlatshwayo - 890904 5901 083 - Makhwabane Village, PIET RETIED, 2380 - *Muzi Michael*
176. Badia Daniels - 790114 0144 082 - 42 Cranwell Drive, Humewood Extension, PORT ELIZABETH, 6000 - *Catherine*
177. Leticia Helena Santos Costa - 810409 0260 086 - Estate 11 Meyersdal, Grenadine Street, ALBERTON, 1447 - *Leticia Helena Santos Castro*
178. Aneziswa Mpefu - 970812 0793 087 - E 85 Chrishani Street, Site C, KHAYELITSHA, 7784 - *Oneziwe Zizipho*
179. Jonnes Molopo - 960326 6228 081 - 2193 Maganwagobuswa, SIYABUSWA, 0472 - *Jonne S Thabang*
180. Lorrain Molopo - 971023 0938 081 - 2193 Maganagobuswa, SIYABUSWA, 0472 - *Lorrain Koketso*
181. Skhulile Elsh Mongwe - 980905 0356 083 - P O Box 7346, MALELANI, 1320 - *Skhulile Authy Zama*
182. Zama Ngeno - 970607 1349 081 - Ngqwara Area, MQANDULI, 5080 - *Zamokuhle*
183. Thabo Mason - 830101 6275 087 - Mamadimo Park, MANKWENG, 0727 - *Righeous Anoitied*
184. Jolene Daniels - 760601 0208 087 - 23 Katrina Harries, New Woodlands, MITCHELLS PLAIN, 7785 - *Jamiela*
185. Ayesha Bibi Shunaib Darsot - 750510 0062 083 - 49 Houghton Drive, HOUGHTON, 2041 - *Ayesha Bibi*
186. Jurisha Maharaj - 750630 0241 089 - 12 Frederick Street, New Modem, BENONI, 1500 - *Jerusha*
187. Darren Dudley - 880917 5189 089 - 46 Candytuff Street, New Lenteguur, MITCHELLS PLAIN, 7785 - *Qiyaam*
188. Simoné Astralita Mallum - 880518 0028 080 - 38 Gilo Street, Leiden, DELFT, 7100 - *Sharkirah*
189. Gerda Bezuidenhout Grobler - 760223 0259 083 - Plaas Welgevonden, BELFAST, 1100 - *Gerda*
190. Lian Gerald Arnold - 830812 5139 088 - 5 Tottenham Road, MITCHELLS PLAIN, 7789 - *Laeeg*
191. Tshepiso Boshomane - 930421 1041 089 - 554 Lehotlhong, MARAPYANE, 0431 - *Tshepiso Rebecca*
192. Mohlatlego Gravy Mafatla - 980303 0694 085 - 20220 Zakheni, KWAMHLANGA, 1022 - *Mohlatlego Granny*
193. Carmen Noel - 800201 0020 087 - Plot 64 High Road, Brentwood Park, BENONI, 1505 - *Carmen De Jersey*
194. Stanton Baatjies - 791119 5230 082 - 166 Waterberg Road, Heideveld, MANENBERG, 7785 - *Samier*
195. Bianca Carmen Paulse - 780607 0089 084 - 181 Surran Road, Newfields Estate, HANOVER PARK, 7764 - *Bilqees*

196. Clement Alan Jacobs - 770503 5182 085 - 45 Honolulu Street, St Lost City , TAFELSIG, 7785 - *Kiyaam*
197. Belinda Hendricks - 780228 0282 080 - 104 A Thames Avenue, MANENBERG, 7764 - *Layla*
198. Ayanda Hlatshwayo - 990227 1093 088 - 64 Cornation Street, PRETORIA , 0186 - *Ayanda Sharon – Rose Grace*
199. Mncikiselwa Cibane - 960214 5993 089 - Mission Area, NDWEDWE, 4342 - *Philasande Mncikiselwa*
200. Bhekizazi Cromwell Bele - 770930 5517 087 - No 1 Strachan Street, KOKSTAD, 4700 - *Bhekizazi*
201. Johanna Van Rensburg - 970704 0485 089 - 2301 Lentsho Street, Extension 3, VENTERSDORP, 2710 - *Tebogo*
202. Boichoko Winston Morwanyane - 910909 6187 083 - 667 Maruping , KURUMAN, 8460 - *Boichoko Keletso*
203. Sundile Julia - 980428 1029 088 - House No 1820, GAMALAKHE, 4249 - *Slindile Portia*
204. Nolita Nombinja - 981207 0520 084 - Malitshangase Location, BIZANAN, 4820 - *Lisa*
205. Sibonele Albert Zulu - 950327 5253 080 - 706 Limpopo Street, SENAONE, 1868 - *Unique Albert Sibonele*
206. Boikanyo Justice Anderson - 910509 5954 085 - House No D 36, Magojaneng Village, KURUMAN, 8460 - *Boikanyo Sthembisio*
207. Khutjo Peter Mogale - 930424 5361 081 - No 175 Skimming Village, Mapela, MOKOPANE, 0610 - *Hlengane Khutjo Peter*
208. Albertus Michaels - 930919 5168 089 - Goesesind Farm, HEIDENBERG, 6665 - *Jodylique*
209. Simphiwe Afrika Mokwena - 940130 6044 083 - Stand No 475, SIYATHUTHUKA, 1102 - *Nathan Simphiwe Afrika*
210. Khethabahlle Mlindazwe - 910926 0521 083 - 304 Phase 2, Freedom Park, RUSTENBURG, 5308 - *Nandipha*
211. Monoleneli Nkwahla - 950130 6103 084 - Lutubeni Area, Mampingeni Location, MQANDULI, 5080 - *Mnoneleli*
212. Twile Amanda Ngxekana - 700411 0414 088 - 108 North Avenue, BEZUIDENHOUT VALLEY, 2094 - *Tulile Amanda*
213. Nowamkelwe Matafeni - 691130 0903 087 - Mbozisa Area, MQANDULI, 5080 - *Nomajoni*
214. Thuthukani Mangoba Zulu - 840929 6330 082 - Po Box 325, GEZA, 3866 - *Thuthukani Manqoba*
215. George Bongani Mahlangu - 730624 5629 088 - 13704 Mbatha Street, Extension 10 Etwatwa, EMAPHUPHENI, 1519 - *Mntomuhle*
216. Sarah Rosina Rammala - 630502 0863 087 - 8 Stubb Follys, Sandhurst Berkshire, UNITED KINGDOM, Gu470zb - *Sarah Rosina Kgomotso*
217. Malobela Samuel Ledwaba - 630626 5569 082 - 39 B Arend Street, LEPHALALE, 0555 - *Malobela Justice*
218. Sello Hans Noko - 890427 5662 083 - Shongoane 3 , LEPHALALE, 0555 - *Jan Sello*

219. Macda Khutso Sehlabane - 930801 0497 087 - 689 Mamadimo Park, Mankweng, SOVENGA, 0727 - *Khutso*
220. Shanice Catherine Govender - 940419 0546 080 - 201 Blamhambra Way, Northdale, PIETERMARITZBURG, 3201 - *Afsana*
221. Thembisa Olga Gopeni - 861210 0278 088 - 10 Gibbons Street, Subarban, DELFT, 7100 - *Thembisa Okuhle*
222. Kgadi Valerie Digoro - 730625 0464 082 - 21306 Setlula Street, Extension 11, TSAKANE, 1550 - *Maele Valerie*
223. Elisabeth Lala - 780831 0234 082 - 609 Barend Flats, WESTBURY, 2092 - *Suraya*
224. Boingotlo Samantha Hlobisile Vilakazi - 930716 0376 083 - 12142 Mopane Street, Kagiso Extension 6, Hospital View, MOGALE CITY, 1725 - *Boingotlo Hlobisile*
225. Godfrey Mahlase - 960903 6132 081 - Stand No R 31, KLIPGAT, 0200 - *Katlego Lauren*
226. Mariam Mohanung Khoza - 811110 0652 087 - 15 Boulderroad, Selcourt, SPRINGS, 1559 - *Maria Itumeleng Honey*
227. Herbert Lehana - 960811 6161 085 - Kete – Kete Area, MOUNT FLETCHER, 4770 - *Herbert Lerato*
228. Mamello Perseverance Ncamane - 950104 5243 084 - 38369 Naledi Street , Freedom Square, BLOEMFONTEIN, 9300 - *Thiwahe Perseverance*
229. Prescious Railo - 980911 6192 084 - 619 Peach Street, TOEKOMSRUG, 1759 - *Tokelo*
230. Princess Nombexeza - 740911 0786 080 - Qolombane Area, TSOLO, 5170 - *Princess Phindiwe*
231. Nomandla Cornelia Mani - 960901 0984 085 - Mthingwevu Area, COFIMVABA, 5380 - *Cornelia*
232. Nomsa Octavia Qwabe – Coutaud - 870505 1194 088 - 8 Wentwood 6616, Brilwewek Crescent, Huelwelsig Estate, CENTURION, 0157 - *Sisanda Nomusa*
233. Edward Munyai - 891207 5935 088 - P O Box 130, TSHAULU, 0937 - *Edward Nyambeni*
234. Randal Wesley Behr - 890722 5105 087 - 82 Sullivan Street, STEENBERG, 7945 - *Riedewaan*
235. Sethabile Petronella Ncube - 950219 0271 086 - D1323 Ulundi Township , ULUNDI, 3838 - *Musa Sethabile*
236. Mareshun Zeneth Anthony - 940820 0046 080 - 1 Serenade Crescent, BELHAR , 7493 - *Malikah*
237. Buntu Jakavula - 810503 5244 085 - 20 Sharon Court, Victoria Walk, WOODSTOCK, 7925 - *Buntu Mafa*
238. Handsome Hulane - 800703 5798 088 - Kwanoshezi Location, Snathing, PIETERMARITZBURG, 3201 - *Vuyani Handsome*
239. Nodume Lavinia Ngcobo - 701212 0543 085 - Noodsberg Area, OZWATHINI, 3242 - *Nodumo Lovinia*
240. Moferefere John Moeketsi - 671206 5760 088 - 13 A Coetzee Street, REDDERSBURG, 9904 - *Kagisho*



241. Ntombizodwa Zamakhosi Dlomo - 840119 0588 089 - Noordsberg Area, OZWATHINI, 3242 - *Zamakhosi Dingiwe*
242. Madmousel Rampai - 711115 0760 088 - 772 Botai Section, Namahadi, FRANKFORT, 2830 - *Madmousel Sindisiwe*
243. Godfrey Madla Mathe - 690204 5508 083 - 9654 Monapi Street, Rocklands, BLOEMFONTEIN, 9300 - *Godgrey Mandla*
244. Madifedile Agnes Thasi - 841031 0578 086 - 12 Cherrywood Close, PARKLANDS, 7441 - *Madifedile Dineo*
245. Gerhard Adriaan Wait - 941229 5017 089 - 3 Jonkershoed Street, Bonic Brae, KRAAIFONTEIN, 7570 - *Ibraheem Gerhard Adriaan*
246. Nomsengaphi Butoti - 910620 1374 085 - 9 Omo Court, Leiden, DELFT, 7100 - *Siphosihle*
247. Savaal Singh - 890929 5214 088 - 338 Bart Joubert Street, Erasmia, PRETORIA, 0183 - *Swamivedaand Saraswati*
248. Eveline Segone - 961214 0701 080 - 2191 Asmara Crescent, COSMOS CITY, 2188 - *Nnini Evelyn*
249. Welhemina Mapula Matlala - 790827 0539 080 - 388 Mphokeng Drive, Sunvalley, MAMELODI WEST, 0122 - *Mapula Welhemina*
250. Annah Madimabe Mashilwane - 930819 0356 087 - P O Box 6263, LEBOWAKGOMO, 0232 - *Annah Matshidiso*
251. Sindiswa Steven Gazu - 980302 5284 082 - P 1220 Umlazi Township, UMLAZI, 4066 - *Thabiso Steven*
252. Goitsewang Lukas Segopisho - 980410 6111 087 - House 979, GEYSDORP, 2771 - *Matshane Hendrick*
253. Buyiswa Bauti - 970406 0527 080 - 4858 N.U.2, MDANTSANE, 5219 - *Siphamandla*
254. Neo Pracias Bantjana Madibo - 820801 0285 089 - 5354 Mphephu Street, Mohlakeng Location, RANDFONTEIN, 1759 - *Preious Neo*
255. Sehlolela Levy Dikgale - 910225 5777 083 - 2214 Zone 2, SESHEGO, 0751 - *Levi Josephs Bonolo*
256. Mnsiniseni Nkala - 931026 5506 083 - Ngodini Location, WEENEN, 3325 - *Mgciniseni*
257. Meleko Isaac Matikane - 560425 5891 081 - 10249 Verswaal 1, ITSOSENG, 2744 - *Mahoko Isaac*
258. Walter Olebogeng Kgoe - 890301 6235 084 - 10212 Magogoe Village, MAHIKENG, 2745 - *Walter Amos*
259. Itumeleng Sentlhorane Daniel Matshe - 671002 5054 089 - 2681 Zone 2 Extension, ITSOSENG, 2744 - *Itumeleng Daniel*
260. Diane Moodley - 831113 0138 087 - 6 Boulder Bend, RICHARDS BAY, 3900 - *Isabelle*
261. Mummu Novella - 920706 0708 080 - House No 10011, Mbatlo Village, GIYANI, 0820 - *Mummy*
262. Suzan Baloyi - 800611 0585 089 - No 8 – 3rd Avenue, ALEXANDRA TOWNSHIP, 2090 - *Judith*
263. Dakalo Douglas Masindi - 960427 5936 086 - Tshavhalovhedzi, DZANANI, 0955 - *Dakalo Justin*



264. Anikie Chauke - 850608 0575 085 - Tshidongololwe, MUTALE, 0956 - *Gaze Anikie*
265. Emmanuel Mahlangu - 931115 5736 087 - 537 Block W, SOSHANGUVE, 0152 - *Emmanuel Kgaugelo*
266. Nokuphila Sithole - 831025 0842 080 - Irelands Area, MANDENI, 4490 - *Lindiwe Nkululeko*
267. Sokesimbone Sakhile Mhlango - 790828 5347 081 - Isithembe Area, MANDENI, 4490 - *Sakhile*
268. Keobakile Kgosikoma - 870409 5548 086 - House No C 91, Kagung, KURUMAN, 8460 - *Keobakile Maxwell*
269. Esther Edith Mgidi - 970719 0245 085 - 11504 Snap Dragon, Kagiso LI, Extension 6, MOGALE CITY, 1154 - *Esther Shalom*
270. Rachna Krishna Govender - 881012 0200 088 - 19 Sundance Flats, Kudu Road, MADADENI, 4490 - *Rachna*
271. Neil David Isaacs - 621014 5103 080 - 18 Antelope Turn, ROODEPOORT, 1724 - *Naeem*
272. Jean Morta - 570818 0226 089 - 23 Magaliesburg Street, New Tafesig, MITCHELLS PLAIN, 7785 - *Janap*
273. Athenkosi Sikhafungana - 970803 6184 082 - B 73 Nkaneng Section, Bleskop, RUSTENBURG, 0350 - *Iviwe Athenkosi*
274. Themba Mlondo - 800323 5615 081 - Ntambanana Serve, EMPANGENI, 3910 - *Themba Mzoqotho*
275. Onke Gwangqana - 960226 5613 087 - Kubusi Location, STUTTERHEIM, 4930 - *Onke Samuel*
276. Philisiwe Milanzi - 970427 0050 089 - House No 1726 C, OSIZWENI, 2952 - *Ayesha Philisiwe*
277. Nokufa Julia Mphuthi - 971114 0370 084 - No 6912 Naledi, BETHLEHEM, 9701 - *Remofiloe Julia*
278. Bahedile Martha Madito - 861009 1145 084 - 10564 New Stands, Khotsong, BOTHAVILLE, 9660 - *Bahedile*
279. Nodabone Dadi - 721212 1076 081 - 374 Mcilongo Street, Duncan Village, EAST LONDON, 5200 - *Nodabone Thuthula*
280. Thabang Clement Monare - 930305 5315 088 - 2916 Kala Street, Bochabelo, BLOEMFONTEIN, 9323 - *Itumeleng Clementino*
281. Sibongile Gloria Lushaba - 880817 1262 080 - B 138 Lindelani, Kingsway, BENONI, 1550 - *Cynthia Mancamu*
282. Stephinah Lerato Kgatla - 920307 0515 086 - 27 Pieters Avenue, Extension 13, THE ORCHARDS, 0110 - *Lerato Gertrude*
283. Phillemon Nyembe - 670814 5259 083 - 395 Hlatshwayo Street, ORLANDO EAST, 1804 - *Philimon Mandla*
284. Thandeka Olga Mangcotywa - 770502 0934 086 - 44532 Gximfiza Crescent, MACASSAR, 7784 - *Habiba*
285. Maria Tlodupyane Sebola - 740625 0425 081 - 506 Unit B, MANKWENG, 0727 - *Mosale Tlodupyane*
286. Sesi Mahlangu - 910712 0994 086 - 331 Sehlakwane, SEHLAKWANE, 1060 - *Sesi Phindile*

287. Martha Ramolobeng - 820911 1448 089 - Stand No 6101, BELA BELA, 0481 - *Ditshego Martha*
288. Sibusiso Mdiveni Tshabalala - 790706 5884 081 - 7116 Mandela Road, MANDELA PARK, 7806 - *Mphikeni Michael*
289. Goodness Ntombizandile Mmbodi - 791217 0809 080 - 14 Station Street, KEI ROAD, 4920 - *Zandile Goodness*
290. Marcelle Philippus Willem Fourie - 980617 5241 083 - 57 Laszt Street, VANDERBIJLPARK, 1911 - *Marcell*
291. Carol Gerald Van Rooi - 970707 5163 080 - 6 Molopo River, ROSEDALE, 8801 - *Carlo Gerald*
292. Mfana Sam Madubela - 881110 5602 082 - 622 Hoofd Mansions, 24 Siement Road, DOORNFONTEIN, 2094 - *Sam*
293. Tsundzuka Remember Tshabalala - 850727 5815 088 - 446 Canary Street, Waterfall View, JOHANNESBURG, 2100 - *Tsundzuka*
294. Mphungwa Martha Lencwane - 571204 0802 089 - B 9447 Turflaagte, BLOEMFONTEIN, 9300 - *Dikeledi Martha*
295. Mmaleshatane Makgafele Mologadi Nchabeleng - 950625 0292 080 - Ga-Nchabeleng, SEKHUKHUNE, 0741 - *Mologadi Nissy*
296. Phindiwe Esther Mnxongo - 910722 0132 082 - 3345 Mbeki Section, DENEYSVILLE, 1972 - *Phindile Esther*
297. Niuashni Padayachee - 930119 0255 086 - 206 Esparto Avenue, Lotus Garden, PRETORIA, 0100 - *Nivaashni*
298. Gundo Maduwa - 890719 5631 088 - Ph 5923, Phomolona Section, ATTERIDGEVILLE, 0008 - *Gundo Rathavhi*
299. Sphelele Bangile Mabaso - 970927 5425 087 - Bhakabha Location, WILLOWFONTEIN, 3202 - *Sphelele Bandile*
300. Lebohag Rachel Motaung - 980505 0223 083 - 168 Vaal Poker Station, VILJOENDRIFT, 9858 - *Lebolang Rachel*
301. Filinkie Isaac Mosana - 890319 5912 081 - 22 Hansie Kotze Street, EIKEPARK, 1759 - *Isaac*
302. Abram Sello Mohotji - 900109 5808 084 - 475 Wessels, SUNNYSIDE, 0002 - *Abraham Bless Thato*
303. Judith Mookgo Khaliyane - 841208 0646 085 - 1113 J Section, BOTSHABELO, 9781 - *Nthabeleng Judith*
304. Mavis Maluleke - 751120 0389 087 - 17 Riverclose, Camellia Street, LYNNWOOD, 0081 - *Bekazi Mavis*
305. Theodora Qinga - 830121 0727 081 - 4220 Market Street, Halfway House, EDENVALE, 1685 - *Siphokazi Theodora*
306. Eliza Maosadi Pule - 910113 0887 083 - 3875 Kgoro Section, BODIBE, 2700 - *Eliza Maosadi Katlego*
307. Josiah Fana Maunyaka - 770831 5597 089 - 47 Cuttlefish Road, Bayview, STRANDFOTNEIN, 7798 - *Fana*

308. Bradley Wayne Van Wyk - 920524 5150 087 - 108 Gazelle Street, Eastridge, MITCHELLS PLAIN, 7785 - *Basir*
309. Melissa Williams - 890531 0076 080 - 77 Chevrolet Crescent, Beacon Valley, MITCHELLS PLAIN, 7785 - *Maleekah*
310. Niralene Natasha Burns - 911209 0252 085 - 35 A Dove Road, GRASSY PARK, 7800 - *Inshaaf*
311. Mudaarik Abbas - 940605 5167 084 - 9 Argo Circle, Rocklands, MITCHELLS PLAIN, 7789 - *Mubaarik*
312. Masilo Jonathan Masilu Makwela - 651215 5547 084 - Stand No 812, Unit F, MANKWENG, 0727 - *Masilo Jonathan*
313. Janice Merle Marshall - 900723 0133 080 - 12 Matroosberg Street, Tafelsig, MITCHELLS PLAIN, 7789 - *Jamielah*
314. Sergio Raphael - 940502 5851 082 - 7 Kitty Walk, Rocklands, MITCHELLS PLAIN, 7789 - *Ashraf*
315. Fagau Raubenheimer - 900511 5224 081 - 14 Perseus Road, Woodlands, MITCHELLS PLAIN, 7785 - *Fahiem*
316. Euerista Mtshali - 940627 0515 083 - P O Box 112, UMZIMKULU, 3297 - *Everista*
317. Kaifas Lekalakala - 880522 5701 089 - 2667 Lehonong, SEABE, 0100 - *Caiphus*
318. Zuzile Jali - 940808 5460 083 - Ekhatha Area, KRANSKOP, 3268 - *Syabonga Zuzile*
319. Winston Smith - 960827 5275 080 - Stand No 545, Tonga View, KWALUGEDLANE, 1341 - *Bonginkosi Winston*
320. Sifiso Mbambani - 900418 6214 089 - P O Box 577, FLAGSTAFF, 4810 - *Sifiso Kardinal*
321. Ntombezinhle Majola - 980707 0916 084 - Mazibuko Area, OZWATHINI, 3242 - *Zinhle Zona*
322. Rushdena Hajiera Williams - 910810 0159 088 - 4 Classic Court , 40 Victoria Road, GRASSY PARK, 7945 - *Dena*
323. Percy Mokobe - 980113 5435 081 - 12840 Phase 6, Letlhakeng, BLOEMFONTEIN, 9630 - *Percy Lesego Theodore*
324. Simoné Parenzee - 941017 0134 086 - 6 Gletwyn Street, Voorbrug, DELFT, 7100 - *Shumeez*
325. Molatelo Rosinah Longa - 820712 0517 084 - 249 Cassia Street, DOORNPOORT, 0017 - *Molatelo Rosinah Lulama*
326. Keamogetse Vinolia Mooketsi - 820719 0522 089 - 13321 – 76 Th Avenue, Sunrise View, RUSTENBURG, 0300 - *Keletso*
327. Silas Boredi Sekgololo - 850920 5693 080 - Stand No 50492, GA-MPHAHALELE, 0737 - *Boredi Moosa*
328. Mbalenhle Bongeka Prisca Mtolo - 890610 0521 087 - 830 Unit 13, Imbali, PIETERMARITZBURG, 3201 - *Mbalenhle*
329. Busiswa Ngebe - 761024 0365 089 - Ngobozana A/A, LUSIKISIKI, 4820 - *Busiswa Sylvia*
330. Abram Setuke Rakomane - 880326 5480 086 - 20737 Unit 2, MAJAKANENG, 0359 - *Pule*

331. Johanna Khoza - 910915 1620 085 - 1370 Lethabong Section, MABOLOKA, 0197 - *Johanna Ntombi*
332. Kedibonge Wilhemina Moeng - 760220 0597 082 - 1056 Block L, SOSHANGUVE, 0152 - *Gloria Welhemina*
333. Letlafiwa Sweetsolizer Mello - 980130 5534 085 - Mashige Village, GA-MPHAHLELE, 0700 - *Letlafiwa Ngwato*
334. Maselwane Isaac Vinger - 980304 6428 080 - 9797 Grassland, Heidedal, BLOEMFONTEIN, 9300 - *Mpho Tebogo*
335. Elias Donkey Mabena - 670316 5935 084 - Stand No 195, ALLEMANSDRIFT, 1020 - *Elias Tonki*
336. Zamide Sithole - 921113 0249 083 - 2082 Kwa-Makhutha Township, DURBAN, 4001 - *Zamide Yolanda*
337. Tatlhego Den Moletsane - 750911 5511 084 - 3639 Extension 4, Mokoepa Street, Kokosi Location, FOCHVILLE, 2515 - *Den*
338. Sarah Chauke - 970927 1352 087 - 1453 Mutelele Stand, WINTERVELDT, 0198 - *Sarah Shantell*
339. Nthapeleng Monoana - 920911 1241 087 - Riemvasmaak, CALEDON, 7230 - *Mararollang*
340. Nokulunga Veronica Mrawu - 700103 0559 083 - 1823 Mpetha Road, Masiphumelele, FISHHOEK, 7975 - *Zukiswa Veronica*
341. Mocawe Rabi - 840125 0648 088 - 16577 Diya Road, Browns Farm, PHILIPPI, 7001 - *Nocawe Monica*
342. Naum Kekana - 980827 0728 089 - Private Bag X1, KORINGPUNT, 0632 - *Mokgohlwa Naum*
343. Tshegofatso Cekiwe Mmotlana - 970113 0187 085 - 1151 B Mmotlana Street, DANHOUSE, 0400 - *Tshegofatso Celiwe*
344. Tshepang Morwagae - 981018 5407 080 - 5016 Extension 3, THABANCHU, 9781 - *Onkokame*
345. Innocent Modisapudi - 980913 5175 086 - 383 Ra-Taele Section, BORAKALALO, 2870 - *Thapelo Innocent*
346. Isaac Masilo Mkhandanisi - 811210 5893 080 - Ford Donald, MT AYLIFF, 5100 - *Simthandile*
347. Motlatjo Hector Lapane - 791129 6235 089 - 4298 Joshua Nkomo Street, Unit 27, Mhlakeng, RANDFONTEIN, 1759 - *Lebogang Motlatso Hector*
348. Mantsubise Moshoeshe - 970922 0595 083 - 1526 Mabilepu Street, Tladi Section, KWA XUMA, 1868 - *Thato*
349. Nyankwabe Aminah Ngomane - 620421 0773 083 - Stand No 1714, KAMHLUSHWA, 1332 - *Nandine Aminah*
350. Nokuphumlawolayi - 721006 0981 089 - 4347 Sipiwe Mthimkhulu, Samora Machell, PHILIPPI, 7785 - *Portia Pumla*
351. Phineas Fukwana Mathunjwa - 521021 5687 088 - De Vereeniging, ERMELO, 2350 - *Phineas Mvubu*
352. Letty Matebane Jiyane - 961014 1073 087 - Stand E 67, Kgaphamadi Location, SIYABUSWA, 0400 - *Nomsa Letty*

353. Mpho Andy Bapela - 800930 5482 088 - No 146 , 22th Avenue, ALEXANDRA, 2012 - *Matsobane Mpho Andy*
354. Qobile Elizabeth Nkosi - 931206 0286 085 - 13132 Moketsi Crescent, DAVEYTON, 1520 - *Nqobile Elizabeth*
355. Fofhiwa Tshioma - 940323 6100 084 - Bhejukufa Trust, KABOKWENI, 1245 - *Rofhiwa Quinton*
356. Maria Mabusha - 970916 1048 084 - Kutama Location, MAKHADO, 0920 - *Hulisani*
357. Mphonyana Johanna Molefe - 610410 0629 082 - 426 Maokeng Extension, TEMBISA, 1601 - *Dimpho Johanna*
358. Molehe Lengana - 771002 5617 082 - 12 Motaung Street, ROCKVILLE, 1818 - *Molefe*
359. Phetole Robert Ramosebudi - 680902 5491 083 - 926 Ashby Estate, Bowling Avenue, WOODMEAD, 2191 - *Phetolo*
360. Sydney Pakeng Mapalakane - 730804 5567 088 - Stand No 21, Zithobeni Behind Stadium, Extension 1, BRONKHORSTSPRUIT, 1021 - *Sydney Paki*
361. Bhekimpi Ike Ndlovu - 660729 5376 087 - 692 Meerlust Villas, Meerlust Road, EQUESTRIA, 0184 - *Ike Bheki*
362. Dikeledi Lydia Mashishi - 920703 0075 081 - 828 J.B Marko Street, Hospital View, TEMBISA, 1634 - *Ditshego Lydia*
363. Refilwe Lebepe - 961104 5080 087 - 1335 Zone 10, Winnie Mandela, TEMBISA, 1634 - *Kabelo*
364. Nozuko Portia Baleka - 870704 1023 088 - 7095 Phase 4, Bloemside, BLOEMFONTEIN, 9306 - *Nozuko Phelokazi*
365. Maria Noe - 971105 0590 085 - Makalakaleng Village, STERKSPRUIT, 9300 - *Maria Mpho*
366. Nontlonipho Evelyn Sam - 641015 0605 082 - 290 Gysman Street, Wittedrift, PLETTENBERG BAY, 6600 - *Ntombizodwa Nontlonipho Evelyn*
367. Nhlakanipho Experience Sibisi - 830830 5757 089 - 1671 Vq Section, Wembezi, ESTCOURT, 3310 - *Nhlakanipho*
368. Ponatshego Eshley Matshego - 980115 0590 083 - House No 427, Unit 8, MOGWASE, 0318 - *Duduetsang Ponatshego Ashley*
369. Bontle Lekgatle - 940921 5324 082 - 53 Athlone Road, Kenmare Noordheuwel, KRUGERSDORP, 1739 - *Bontle Gabriel*
370. Phiweyinkosi Carol Ngubane - 971023 0288 081 - P O Box 95, HAMMARSDALE, 3700 - *Nokuphiwa Carol*
371. Khanyisile Dlamini - 890814 0887 080 - Patsoana Area, NQUTU, 3135 - *Khanyisile Nqobile*
372. Angelina Agnes Velem - 760809 0469 084 - Tarentaal Street, AVIAN PARK, 0850 - *Angeline Agnes*
373. Thembi Generals Shabangu - 920909 0920 081 - Stand No 395, Cork Trust, HAZYVIEW, 1242 - *Thembi Generous*
374. Joba Kennedy Pule - 971029 5619 089 - No 16 – 2nd Avenue, ALEXANDRA, 2090 - *Bokamoso Kennedy*

375. Mazule Thobile Nkambule - 940812 0983 081 - Stand No 1134, NAAS, 1346 - *Thobile Nozipho*
376. Tshwanelo Winnyfred Annikie Modise - 900226 0674 087 - 70 – 1 Byron Street, RUSTENBURG, 0300 - *Tshwanelo*
377. Mampolai Eunice Mabeta Sefoli - 830706 0619 088 - 14 Dateren Street, Riebeeckstad, WELKOM, 9459 - *Mmabeta Eunice Mampulai*
378. Goodlord Thabiso Ntmane - 951114 5544 083 - 41 Berghill Crescent, NEWLANDS WEST, 4037 - *Goodlord Thabiso Zurg*
379. Ailwei Ananeus Mofokeng - 700101 9543 082 - 3759 Dikole, Extension 2, KATLEHONG, 1431 - *Aluwani Abraham*
380. Johannes Bapela - 580613 5910 086 - 13361 Pete Street, MAMELODI EAST, 0100 - *Majakoane Johannes*
381. Madiepetsana Bernice Mohai - 930303 0407 083 - 559 Mokoena Street, Wattville, BENONI, 1501 - *Mamello Tiisetso*
382. Patricia Khutsafalo Mahlangu - 840828 0594 083 - Plot 1587, Dibakwane Stand, WINTERVELDT, 0201 - *Patricia Bontle*
383. Esther Zalebona Lebelo - 600328 0780 089 - 93 Block S, SOSHANGUVE, 0152 - *Zalebona Esther*
384. Gloria Qaqamba Buyisiwe Selikane - 840715 0602 083 - 45 Herbert Baker Street, SECUNDA, 2302 - *Qaqamba Buyisiwe Gloria*
385. Ntombelandla Zubenathi Makrwede - 970515 0938 087 - Old Payne A/A, MTHATHA, 5099 - *Zubenathi*
386. Juliet Dzingwa - 590104 0961 082 - 3092 Zulu Street, DAVEYTON, 1520 - *Juliet Simangele*
387. Noluthando Mdletshe - 980106 0434 083 - 163 Jones Street, Dube Village, SOWETO, 1801 - *Tshiamo Noluthando*
388. Micheal Mbali Shongwe - 980728 0537 084 - 21 Tousrivier Street, Alra Park, NIGEL, 1491 - *Michelle Mbali*
389. Juvan Darius Banele Van Biljoen - 960912 5432 087 - 15 Okapi Street, Alra Park, NIGEL, 1495 - *Juvan Darius*
390. Tshepiso Pitso - 960307 5362 089 - 12073 Extension 10, Sunrise Park, RUSTENBURG, 0300 - *Tshepiso Promise*
391. Rakoos Kleinbooi Mokoena - 650521 5243 082 - 3106 Modise Street, BLOEMFONTEIN, 9300 - *Thabang*
392. Thabo William Moleleki - 470318 5545 089 - No 38826 Phamba Street, Harare, KHAYELITSHA, 7784 - *Chief Thabo William*
393. Cynthia Promise Angel Mathibela - 870712 1029 088 - 514 Tweefontein C, TWEEFONTEIN, 1022 - *Cynthia Promise*
394. Bongani Christopher Mngomezulu - 880615 5792 080 - 4180 Extension 23, BETHAL, 2310 - *Bongane Christopher*
395. Gershwin Mario Flandorp - 910325 5102 082 - 32 Tower Kop Road, CAPE TOWN, 7764 - *Rameez*

396. Morris Taumang Mathala - 760313 6076 084 - 25900 Phahlamanoge, MAMELODI EAST, 0100 - *Morris Letuku*
397. Yvodia Nxumalo - 970822 0587 082 - 2790 Driezik 4, ORANGE FARM, 1841 - *Khanyisile Yvodia*
398. Sagonona Elesa Mahlakwane - 350802 0114 087 - 14211 Mothotse Street, MAMELODI EAST, 0122 - *Noni Elsie*
399. Laurence Fohlisa - 911026 5433 084 - 16750 Kakarotso Street, Club 2000, KIMBERLEY, 8345 - *Laurence Tumelo*
400. Tanganedzani Mulaudzi - 980924 5372 086 - Tshino, VUWANI, 0952 - *Ntanganedzeni*
401. Nontsikelelo Veronica Hulu - 870609 0337 084 - 412 Highfield Road, SCHAURDERVILLE, 6001 - *Nabila*
402. Andisiwe Likwili - 890630 5027 088 - Tandagate A/A, QUEENSTOWN, 5320 - *Andisile*
403. Leah Kedisaletse Tau - 870211 0423 087 - House No 1108, DEBEN, 8403 - *Leah Kutlwano*
404. Nosimo Mbewu - 790505 2145 086 - L 2104 N 3, Gateway, LANGA, 7455 - *Nomveliso*
405. Nkungokazi Diana Bangaza - 720626 0946 088 - 13 Ironwood Avenue, Umlele Heights, KIDDS BEACH, 5202 - *Minty Nkungukazi Diana*
406. Sinazo Dlala - 930608 1111 082 - Baziya A/A, MTHATHA, 5099 - *Sinazo Alive Olothando*
407. Hardus Maritz - 931207 1321 087 - 59 Brampton Avenue, Rowallan Park, PORT ELIZABETH, 6001 - *Melanie*
408. Colin Olifant - 781213 5299 080 - 481 Somkele Street, Zone 4, MEADOWLANDS, 1852 - *Muntu Bonakele*
409. Dorcus Manhlanyane Thabilha Ndebele - 570320 0412 082 - 877 Mavimbela Street, Phola , OGIES, 2235 - *Thabitha Dorcas Mantlhanyane*
410. Busisver Sompi - 951031 0492 086 - Baliwe Location, CATHCART, 5310 - *Busisiwe*
411. Nonjabulo Nonhlanhla Zamisa - 980122 1000 088 - 454795 Zakhiweni, P O Box 55673, HAMMARSDALE, 3700 - *Nonjabulo Sanelisiwe*
412. Stephens Robertson Mashile Mokou - 660611 5834 085 - 6188 Unit 5, Ntlatleng Street, GARANKUWA, 0208 - *Mashile*
413. Mlimi Nkanti - 571008 5388 089 - 105 Zweni Street, MFULENI, 7100 - *Mlimi Terrence*
414. Makgari Given Lebohang Nkadimeng - 981007 5201 080 - 811 Block M, SOSHANGUVE, 0152 - *Lebohang*
415. Themba Prince Foli - 881108 6057 082 - 777 Ramokonopi West, KATLEHONG, 1431 - *Tshepo*
416. Bokang Thobejane - 961213 5592 080 - 33 Camel Thorn Street, Flora Park, POLOKWANE, 0699 - *Bokang Kgopotso*
417. Makome Johannes Maifo - 810519 5548 085 - Stand No 996, Zone 3, SESHEGO, 0699 - *Johannes Manwesa Matome*
418. Aneliswa Ngcakuse - 980916 1141 085 - Qasa Area, FLAGSTAFF, 4810 - *Anelisa*
419. Ngeniswa Mpikeli - 961112 1219 088 - Mthumbe Area, LIBODE, 5100 - *Alungile*



420. Eric Sekele - 610513 5540 087 - 62 Melville Avenue, Pierre Van Ryneveld X 4, CENTURION, 0157 - *Eric Kobate Kenneth*
421. Mduduzi Dumisani Cele - 540723 5340 082 - A 366 Unit 5, 112 Musa Road, KWA MASHU, 4359 - *Dumisani*
422. Mickayala Kannemeyer - 790618 0180 086 - 21 Noelle Court, MANENBERG, 7764 - *Shanaaz*
423. Celine Raesibe Marakalla - 980210 0432 087 - No 20155, Ga Masenya, MAPELA, 0610 - *Celine Tshepiso Raesibe*
424. Aubrey Magolela - 770809 5458 080 - 7 Acarcia Street, Flora P, STANDERTON, 2430 - *Aubrey Motšabaki*
425. Mayvis Phumule Dlamini - 710625 0282 082 - Ndulwini, CENTOCOW, 3276 - *Mayvis Phumlile*
426. Maswazi Vitalis Dlamini - 670822 5326 083 - Ndulwili Location, Kokosi Location, CENTOCOW, 3263 - *Bhekamaswazi Vitalis*
427. Matshupane Maria Dhlamini - 860127 0334 086 - 17254 Iras Phase 4, SASOLBURG, 1947 - *Pinky*
428. Lerato Koma - 930731 0778 089 - Mamaolo, GA-MPHAHELE, 0736 - *Lerato Margret*
429. Linzi Lyle Johnson - 970210 5334 082 - 105 Cradock Road, STEENBERG, 7945 - *Lyle*
430. Nkangeleko Mjikeliso - 971004 5684 086 - Tabase Mission, MTHATHA, 5099 - *Simiso*
431. Melissa Anthony - 911011 0114 087 - 3 The Hague Avenue, DELFT, 7100 - *Muneerha*
432. Kazimla Majila - 980429 0579 081 - 28 Koyana Street, Mbuqe Park, MTHATHA, 5099 - *Khazimla*
433. Patricia Lucky Mooko - 930518 6179 085 - 1513 Section A, BOTSHABELO, 9781 - *Patrick Lehlohonolo*
434. Patience N Tswane - 670606 1685 083 - 43 Gooern Mbeki Street, Kuyasa Township, MTHATHA, 5099 - *Patience Nomampondomise*
435. Aloysius Swarts - 640721 5671 083 - 447 Phoko Street, PABALELLO, 8801 - *Aloysius Bennette*
436. Marietha Titus - 820807 0158 085 - 51 Soetwater Court, HANOVER PARK, 7780 - *Aqeelah*
437. Songezo Ndayi - 930410 6257 089 - 13 Ilitha Park, KHAYELITSHA, 7784 - *Luthando*
438. Matshwenyego Solomon Khota - 771006 5492 081 - 111 Mooka Street, BELA-BELA, 0480 - *Joseph Solomon*
439. Phiwokuhle Mapekula - 910427 5499 086 - Cc 211 Hlomela Street, Town Two, KHAYELITSHA, 7784 - *Phiwokuhle Malvern*
440. Sipholele Eugene Mathonsi - 720414 5307 089 - 1614 John Ross , House 32, Margaret Mcadi Avenue, DURBAN, 4001 - *Siphelele Eugene*
441. Rose Mabunda - 960104 0045 086 - 201 Utopia Road, Ruimsig Country Estate, MOGALE, 1724 - *Rosa-Lena*
442. Tanduxolo Allen Mahlase - 800704 6000 086 - Stand No 169, Tshepisoong West, ROODEPOORT, 1724 - *Joseph Ramarobele*
443. Zakhele Thembinkosi Gumede - 981105 5985 080 - P O Box 548, MKUZE, 3965 - *Sakhile*



444. Getty Mkhize - 870129 0956 080 - 1592 A Zwane Street, ZOLA NORTH, 1700 - *Getty Andile*
445. Lester Lawrence Williams - 740407 6049 086 - 14 Tradouw Way, Leiden, DELFT, 7100 - *Shafiek*
446. Marilyn Boltman - 680717 0933 081 - 15 E Surwood Walk, HANOVER PARK, 7780 - *Madiniah*
447. Ernest Meyer - 660719 5656 083 - G 72 Pooke Road, RYLANDS, 7764 - *Ebrahim*
448. Vishnu Visvanathan Naicker - 650405 1297 088 - 4 Driscenhof, 55 Goud Street, POTCHEFSTROOM, 2531 - *Vishana Vivian*
449. Rozane Pamela Abrahams - 591030 0790 081 - 4 Matterhorn Crescent, Tafelsig, MITCHELLS PLAIN, 7785 - *Shahieda*
450. Twelia Mokoena - 520803 0679 082 - 426 Sebokeng, WITSIESHOEK, 9870 - *Julia*
451. Nomasoka Diko - 520202 0828 080 - Kwelerha A/A, EAST LONDON, 5200 - *Nomasoka Esther*
452. Makohe Letshabo Galeboe - 971018 5545 089 - 74 Kalahari Parys, Postdene, POSTMASBURG, 8420 - *Lethabo Calvin*
453. Noluthando Ashla Ledwaba - 961102 0099 086 - 10 Bolaton Christiaan De Wet Street, WITBANK, 1035 - *Noluthando Ashla Palesa*
454. Reneilwe Precilla Mahlase - 830304 0845 083 - Ga-Marishane, JANE FURSE, 1064 - *Reneilwe Precilla Ngwakoana*
455. Albert Mashiane - 810221 5580 081 - Dithabaneng Village, MALAHLELE, 0736 - *Albert Madimetsa*
456. Thomas Rasilabe Raselabe - 590624 5340 081 - 22489 Moruku Street, MAMELODI EAST, 0122 - *Moloko Rasilabe Thomas*
457. Ntombokhanyo Ndzamela - 750428 0740 089 - Sikhobeni Area, IDUTYWA, 5001 - *Ntombokhanyo Kholeka*
458. Mothowamama Marcus Moatshe - 750828 5553 082 - 3391 Maseko Street, MODIMOLLE, 0510 - *Nthepi Masebona Samuel*
459. Josephinah Mirriam Tlou - 950308 0549 086 - Stand No 12, DELPARK, 2210 - *Josephinah Mirriam Nonhlanhla*
460. Balungile Mokoena - 960526 0926 081 - A 1430, EZAKHENI, 3381 - *Snenhlanhla Lerato*
461. Mongumusa Phiwinhlanhla Mdletshe - 880302 6422 088 - Dlangubo Reserve, EMPANGENI, 3880 - *Bongumusa Phiwinhlanhla*
462. Contance Msongelwa - 510709 0189 083 - Private Bag X1043, TSOLO, 5170 - *Nopumelele Constance*
463. Mzwandile Eric Mofu - 590101 6634 085 - 7 Zone 1, Ekuphumleni Township, WHITTLESEA, 5360 - *Zonisile Eric*
464. Gunamakhosi Satshi - 610701 5977 082 - F 38 No 8, Hostel, RUSTENBURG, 0308 - *Gcinamakhosi*
465. Janice Moira Minnies - 911218 1452 081 - 37 Laurel Road, Harmony Village, MITCHELLS PLAIN, 7785 - *Jehan*

466. Noluthabo Mangele - 920930 0588 082 - 3926 Nu 2, Mdantsane, EAST LONDON, 5100 - *Noluthabo Sinazo*
467. Ernest Choene Ramotshela - 920405 5180 086 - Stand No 10130, LEPHALALE, 0555 - *Ernest Machoene*
468. Thapelo Setlaboshego Boshielo - 850519 5972 088 - 21 Ga-Mabintle Village, NEBO, 1059 - *Thapelo Molapo*
469. Phako Tiishetso Makola - 971201 5649 081 - 131 Mpho Section, TEMBISA, 1632 - *Mankgase Tiishetso*
470. Matshediso Amandad Mokoena - 891031 0282 084 - 14108 Snake Park, KROONSTAD, 9499 - *Katleho Amanda*
471. Nokhona Gqirana - 891215 0929 089 - 842 Rathipa Section, RUSTENBURG, 0322 - *Alime Nokhona*
472. Lesibe Mmatlaaro Mahlogonolo Moswane - 840509 0488 084 - A 299 Nkosi Street, Plot 97, Mkhancwa, BRAKPAN, 1541 - *Mmatlaaro Fortune*
473. Busisiwe Goodness Xaba Shabangu - 900511 0451 085 - 24 Gerrit Maritz, SECUNDA, 2302 - *Busisiwe Goodness*
474. Makhawukana Ruth Ngobeni - 640313 1067 084 - House No 2388 B, NKOWANKOWA, 0870 - *Ruth*
475. Kulanelile Faith Chonco - 900531 0511 084 - Inchanga, HAMMARSDALE, 3670 - *Kwanelile Faith*
476. Mfowethu Wecky Sambo - 880730 5782 088 - P O Box 7335, MALELANE, 1320 - *Bafowethu Sakhile*
477. Njengabantu Shabane - 620201 5649 086 - Ngudwini Reserve, ESHOWE, 3815 - *Njengabantu Sabelo*
478. Chris Malandula Malandula - 950720 6065 083 - No 241 G.D.P Houses, ELUKWATINI, 1192 - *Chris Benedict*
479. Dorothy Mmotsi Molokomme - 820613 0359 081 - 1924 Block G, SOSHANGUVE, 0152 - *Dorothy Mmotsi Boitumelo*
480. Nomitah Dudu Makhubedu - 860424 0555 087 - P O Box 41, MAPUMANE, 1285 - *Dudu*
481. Sechele Solomon Makhetha - 790820 5266 080 - 19 Langenhoven Street, Randhart, ALBERTON, 1450 - *Sechele Thabiso Solomon*
482. Nunu Patience Manxusa - 740924 1618 087 - Dithakong Village, MAHIKENG, 2700 - *Nunu Patience Sezakele*
483. Tete Lenah Seretsi - 840123 0939 086 - 5739 Extension 5, Boitumelong, BLOEMHOF, 2660 - *Kegomoditswe Lenah*
484. Daniel Juda Masango - 800327 5287 080 - 32 Sonneblom Street, KRIEL, 1020 - *Daniel Bobo*
485. Nick Steyn - 950930 5022 080 - Plot 72, Sterkspruit, LYDENBURG, 1120 - *Nick Andrew*

## SOUTH AFRICAN REVENUE SERVICE

NO. 340

07 APRIL 2017

**NOTICE ISSUED IN TERMS OF PARAGRAPH 14(3)(a) OF THE FOURTH SCHEDULE TO THE INCOME TAX ACT, 1962 (ACT NO. 58 OF 1962), SECTION 8(2A) OF THE UNEMPLOYMENT INSURANCE CONTRIBUTIONS ACT, 2002 (ACT NO. 4 OF 2002), AND SECTION 6(2A) OF THE SKILLS DEVELOPMENT LEVIES ACT, 1999 (ACT NO. 9 OF 1999), PRESCRIBING THE DATE BY WHICH AN EMPLOYER MUST RENDER A RETURN AS PRESCRIBED IN THAT PARAGRAPH AND THOSE SECTIONS**

By the power vested in me by paragraph 14(3)(a) of the Fourth Schedule to the Income Tax Act, 1962 (Act No. 58 of 1962), section 8(2A) of the Unemployment Insurance Contributions Act, 2002 (Act No. 4 of 2002), and section 6(2A) of the Skills Development Levies Act, 1999 (Act No. 9 of 1999), I, Thomas Swabihi Moyane, Commissioner for the South African Revenue Service, hereby determine that an employer's return (EMP 501) for the period—

- (a) 1 March 2016 to 28 February 2017, must be rendered on or before 31 May 2017; and
- (b) 1 March 2017 to 31 August 2017, must be rendered on or before 31 October 2017.

**T S MOYANE****COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE**

**SUID-AFRIKAANSE INKOMSTEDIENS****NO. 340****07 APRIL 2017**

**KENNISGEWING UITGEVAARDIG INGEVOLGE PARAGRAAF 14(3)(a) VAN DIE  
VIERDE BYLAE BY DIE INKOMSTEBELASTINGWET, 1962 (WET NO. 58 VAN  
1962), ARTIKEL 8(2A) VAN DIE “UNEMPLOYMENT INSURANCE  
CONTRIBUTIONS ACT, 2002” (WET NO. 4 VAN 2002), EN ARTIKEL 6(2A) VAN  
DIE “SKILLS DEVELOPMENT LEVIES ACT, 1999” (WET NO. 9 VAN 1999), WAT  
DIE DATUM VOORSKRYF WAARTEEN 'N WERKGEWER 'N OPGAWE SOOS  
VOORGESKRYF IN DAARDIE PARAGRAAF EN ARTIKELS MOET INDIEN**

Kragtens die bevoegdheid aan my verleen ingevolge paragraaf 14(3)(a) van die Vierde Bylae by die Inkomstebelastingwet, 1962 (Wet No. 58 van 1962), artikel 8(2A) van die “Unemployment Insurance Contributions Act, 2002” (Wet No. 4 van 2002), en artikel 6(2A) van die “Skills Development Levies Act, 1999” (Wet No. 9 van 1999), bepaal, ek, Thomas Swabihi Moyane, Kommissaris vir die Suid-Afrikaanse Inkomstediens, hiermee, dat die opgawe vir werkgewers (EMP 501) vir die tydperk—

- (a) 1 Maart 2016 tot 28 Februarie 2017, voor of op 31 Mei 2017 ingedien moet word; en
- (b) 1 Maart 2017 tot 31 Augustus 2017, voor of op 31 Oktober 2017 ingedien moet word.

**T S MOYANE****KOMMISSARIS VIR DIE SUID-AFRIKAANSE INKOMSTEDIENS**

**TSEBISO E NEHETSWE HO LATELA TEMANA 14(3)(a) YA SHEJULE SA BONE SA *INCOME TAX ACT, 1962 (ACT NO. 58 OF 1962)*, KAROLO 8(2A) YA *UNEMPLOYMENT INSURANCE CONTRIBUTIONS ACT, 2002 (ACT NO. 4 OF 2002)*, LE KAROLO 6(2A) YA *SKILLS DEVELOPMENT LEVIES ACT, 1999 (ACT NO. 9 OF 1999)*, TSE HLALOSANG LETSATSI LEO MOHIRI A TSHWANETSENG HO NEHELANA KA LESEDI JWALO KA HA HO HLALOSITSWE TEMANENG EO LE DIKAROLONG TSEO**

Ka matla ao ke a nehetsweng ke temana 14(3)(a) ya Sejule sa Bone sa *Income Tax Act, 1962 (Act No. 58 of 1962)*, karolo 8(2A) ya *Unemployment Insurance Contributions Act, 2002 (Act No. 4 of 2002)*, le karolo 6(2A) ya *Skills Development Levies Act, 1999 (Act No. 9 of 1999)*, Nna, Thomas Swabihi Moyane, Mokhomishenara wa Tshebeletso ya Lekeno Afrika Borwa, ke hlwaya hore mohiri a nehelane ka lesedi (EMP 501) bakeng la nako ya—

- a) 1 Hlakubele 2016 ho ya ho 29 Hlakola 2017 le tshwanetse ho nehelwa ka la kapa pele ho 31 Motsheanong 2017; le
- b) 1 Hlakubele 2017 ho ya ho 31 Phato 2017 le tshwanetse ho nehelwa ka la kapa pele ho 31 Mphalane 2017.

**T S MOYANE**

**MOKHOMISHENARA: TSHEBELETSO YA LEKENO AFRIKA BORWA**

**ISAZISO ESIKHISHWA NGOKWENDIMA 14(3)(a) YESHEDULI YESINE YOMTHETHO WEZENTELA YENGENISOMALI KA-1962 (UMTHETHO NO. 58 KA-1962), NGOKWESIGABA 8(2) SOMTHETHO WEZEZIMALI ZOMSHUWALENSE WOKUPHELELWA UMSEBENZI KA-2002 (UMTHETHO NO. 4 KA-2002), NANGOKWESIGABA 6(2A) SOMTHETHO WEZINTELA EZIBANJELWA UKUTHUTHUKISWA KWAMAKHONO KA-1999 (UMTHETHO NO. 9 KA-1999), ESINQUMA USUKU OKUMELE UMQASHI ABE ESELETHE NGALO IZINCWADI ZENTELA NJENGOBA KUNQUNYWE KULEYO NDIMA NAKULEZO ZIGABA**

Ngokwamandla engiwanikezwe yindima 14(3)(a) yeSheduli Yesine yoMthetho Wezentela Yengenisomali ka-1962 (uMthetho No. 58 ka-1962), isigaba 8(2A) soMthetho Wezezimali Zomshuwalense Wokuphelelwa Umsebenzi ka-2002 (uMthetho No. 4 ka-2002) nesigaba 6(2A) soMthetho Wezintela Ezibanjelwa Ukuthuthukiswa Kwamakhono ka-1999 (uMthetho No. 9 ka-1999), mina, Thomas Swabihi Moyane, uKhomishana woPhiko Lwezokuqoqwa Kwentela eNingizimu Afrika, nginquma ukuthi izincwadi zentela zomqashi (EMP-501) zesikhathi —

- a) esiqala mhla ka 1 kuNdasa 2016 kuya ku 28 kuNhlolanja 2017 kumele zilethwe engakedluli umhla ka 31 kuNhlaba 2017; futhi
- b) ezesiqala mhla ka 1 kuNdasa 2017 kuya ku 31 kuNcwaba 2017 kumele zilethwe engakedluli umhla ka 31 kuMfumfu 2017.

**T S MOYANE**

**UKHOMISHANA WOPHIKO LWEZOKUQOQWA KWENTELA  
ENINGIZIMU AFRIKA**

## DEPARTMENT OF TELECOMMUNICATIONS AND POSTAL SERVICES

NO. 341

07 APRIL 2017

**ELECTRONIC COMMUNICATIONS AND TRANSACTIONS ACT, 2002 (ACT NO.25 OF 2002)****NATIONAL e-GOVERNMENT STRATEGY AND ROADMAP**

I, Siyabonga Cyprian Cwele, Minister of Telecommunications and Postal Services, hereby publish the proposed National e-Government Strategy and Roadmap in terms of Section 5(3) of the Electronic Communications and Transaction Act, 2002 (ACT NO.25 of 2002).

Interested persons are invited to provide written comments on the proposed Strategy and Roadmap, within 30 working days from the date of publication of this notice at any of the following addresses:

Post: For Attention:

Ms Jeanette Morwane  
Chief Director: ICT Innovations Programme  
Information Society Development and Research Branch  
Private Bag X860,  
Pretoria, 0001

Or Deliver to:

Block A, iParioli Office Park,  
1166 Park Street, Hatfield, Pretoria

Email: [dmonyepao@dtps.gov.za](mailto:dmonyepao@dtps.gov.za) or [tmasinge@dtps.gov.za](mailto:tmasinge@dtps.gov.za)

Please note that comments received after the closing date may be disregarded. Please contact Mr David Monyepao at (012) 421 7003 for any enquiries.



**Dr Siyabonga Cyprian Cwele, MP**  
**Minister of Telecommunications and Postal Services**

Date: 35/3/2017

# National E-Government Strategy and Roadmap



Digitizing Government Services



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## 1. INTRODUCTION

### 1.1. Purpose

The purpose of this strategy is to guide the digital transformation of public service in South Africa into an inclusive digital society where all citizens can benefit from the opportunities offered by digital technologies to improve their quality of life. The development of this strategy took place by means of a desktop research by the Department of Telecommunications and Postal Services (DTPS) and seeks to make partnership with all government departments of the Republic of South Africa. All project partners have a common interest to promote access of government information and services at all spheres of government to citizens.

This document defines a renewed approach and programme of action that will radically improve the electronic government (e-Government) situation in South Africa. The Honourable Minister, Dr Siyabonga Cwele, in the 2014/15 budget vote speech stated that more focused attention will be given to infrastructure roll-out, the creation and acceleration of the expansion of e-Government services, as well as to develop e-Government platforms, for use by departments to deliver services online to citizens. In this regard, the department will coordinate work with other frontline government departments that provide services to the public. Through SITA, over the next three years, a significant number of government services will be available online.

Such a new approach and programme of action will require the department to unlock any challenges relating to policy, institutional arrangements and solicit buy-in from respective public sector stakeholders, and Information and Communications Technologies (ICT) industry participation to provide the requisite skills, technology and related investments to implement and support the e-Government technical solutions.

The new approach and programme of action is not intended to replace or supersede the prevailing e-Government policy and framework. It is the intention of the department to support State Information Technology Agency (SITA) – as the Agency of ICT for government to create an enabling ICT environment for government departments to provide electronic services (e-Services) to the citizens of South Africa.

The initiative invites comments from various departments for further debate in the discussion and presents recommendations that will lead to improved government services through the use of ICTs, performance and practice within and across the three spheres of government (and other related stakeholders).

### 1.2. South African e-Government context

'E-Government' or 'digital government' is the innovative use of communications technologies (including mobile devices), websites, applications and other ICT services and platforms to link citizens and the public sector and facilitate collaborative and efficient governance. E-Government includes:

- **Government to Government programmes (G2G)** – is concerned with interaction between different levels of government and collaboration with government agencies;
- **Government to Citizen programmes (G2C)** – involves an interaction between government and its citizens;
- **Government to Employee programmes (C2G)** – this involves the relationship between government and its employees. This form is considered as an effective way of bringing employees together and promoting knowledge sharing among them; and
- **Government to Business programmes (G2B)** – this is concerned with supporting business activities.

e-Government in South Africa include the use of ICT to automate internal processes of government (G2G systems) as well as external processes of Government (G2C and G2B). G2G systems are used across all departments or used for a specific government sector, such as Basic Accounting System (BAS), Logistic Management Information System (LOGIS), National Population Register (NPR), Social Pension Fund (SOCPEN), Police Crime Administration System (CAS) and electronic National Transport Information System (e-Natis). G2C ICT systems however are used to facilitate interaction and collaboration between government and citizens of the country, such as government websites, Batho Pele Gateway, SARS e-Filing, DoL U-Filing and DHA "Trace and Trace".

E-Government service is about transforming government to be more citizen-centred. Technology is therefore a tool in this effort. E-Government services success requires changing how government works, how it deals with information, how officials view their jobs and interact with the public.

Achieving e-Government services also requires active partnerships between government departments, citizens and the private sector. The e-Government process needs continuous input and feedback from the "customers"— the public, businesses and officials who use e-Government services. Their voices and ideas are essential to making e-Government services work.

During the early years of introducing ICT systems in the working environment especially to government, initial attempts towards e-Government were made with a focus on networking government departments and developing in-house government applications in the areas of defence, economic monitoring, planning and the deployment of ICT to manage data-intensive functions. These applications focused on automation of internal government functions rather than on improving service delivery to citizens.

### 1.3. Situational Analysis

The history of e-Government in South Africa dates back to 1995 when the White Paper on the transformation of public service was released. This White Paper proposed the creation of a number of new and additional structures, including the Presidential Review Commission (PRC).<sup>1</sup> In 1997 a White Paper on transforming public service delivery was released labelled as the Batho Pele White Paper. The purpose of this White Paper was to provide a policy framework and a practical implementation strategy for the transformation of public service delivery.<sup>2</sup>

The DPSA was instrumental in the development of the eight Batho Pele (put the people first) guiding principles which should be taken into consideration in the implementation of e-Government in South Africa. These principles aim to enhance the quality and accessibility of government services by improving efficiency and accountability to the recipients of public goods and services.

In 1998, the Presidential Review Commission (PRC) released a report which detailed the PRC's main findings and recommendations in relation to the operation, transformation and development of the South African Public Service.<sup>3</sup> Chapter 6 addressed the problems that were associated with Information Management, Information Systems and Information Technology in the public service. As a consequence of the recommendations of the PRC, the DPSA was granted the administrative responsibility for ICT in government. The formal ICT governance framework of Office of the Government Chief Information Officer (OGCIO), SITA and Government Information Technology Officer's Council (GITOC) was established to proactively bring value to government in terms of ICT use for internal administrative applications and general government service provisioning to citizens and business entities in society.<sup>4</sup>

The Thusong Service Centre programme of government was initiated in 1999 to extend services of government to outlying areas where people live. The primary focus has been rural and underserved communities with the aim of providing citizens with access to government services and information. These centres are also used to introduce ICTs to the underserved communities and to promote literacy and access to technology.

In accordance with its mandate, the DPSA produced an e-Government policy document in 2001 entitled 'Electronic Government: The Digital Future

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<sup>1</sup> Presidential Review Commission, Presidential Review Commission Report, February 1998.

<sup>2</sup> Republic of South Africa, White Paper on Transforming Public Service Delivery (Batho Pele White Paper), October 1997

<sup>3</sup> Presidential Review Commission, Presidential Review Commission Report, February 1998.

<sup>4</sup> Department of Public Service and Administration, South African E-Government Conceptual Framework, February 2006

– A Public Service IT Policy Framework'. The development of this document centred on the ICT house of values which define the benefits that are to be achieved by the application of ICT to government.

In 2001, as required by the Public Service Regulations of 2001, The DPSA released the first version of Minimum Interoperability Standards (MIOS). MIOS specifies the technical standards and policies required for the achievement of interoperability of ICT systems across the public sector. Interoperable systems working in a seamless and coherent way are critical for the establishment of a connected government and the delivery of electronic services.<sup>5</sup>

In August 2002, the Electronic Communications and Transactions (ECT) Act came into law. According to the ECT Act, the purpose of the act is: "To provide for the facilitation and regulation of electronic communications and transactions; to provide for the development of a national e-strategy for the Republic; to promote universal access to electronic communications and transactions and the use of electronic transactions by SMMEs; to provide for human resource development in electronic transactions; to prevent abuse of information systems; to encourage the use of e-Government services; and to provide for matters connected therewith."<sup>6</sup>

In 2002, the DPSA released an e-Government Gateway Concept Paper which defined the problems to be solved through e-Government and explains the objectives and implementation phases of the Gateway Project. The implementation phases comprised of the following four phases: Phase I: Access to Information about Government and Services; Phase II: Implementation of Web-Enabled Two-Way Transactions and Phase III: Multi-purpose and personalised services.

In 2004, government took a big step towards the implementation of Phase I of the Gateway project by establishing the Batho Pele Gateway which is a publicly accessible, central government services information portal.<sup>7</sup>

The Cabinet approved the National Integrated ICT Policy White paper in the beginning of October 2016 and it advocates for the development of the national e-government framework to transform South Africa into inclusive digital society where all citizens across all spheres of government can benefit from the opportunities offered by ICTs to improve their quality of life. The strategic focusing of government efforts through the National Development Plan 2030 (NDP 2030) is paramount in dealing with e-Government and the fact that the existing e-Government Policy and Strategies have played a lip-service over time which lead to outdated approaches as well as the fact that

<sup>5</sup> Department of Public Service and Administration, Minimum Interoperability Standards, November 2011

<sup>6</sup> Republic of South Africa, Electronic Communications and Transactions Act, August 2002

<sup>7</sup> Department of Public Service and Administration, South African E-Government Conceptual Framework, February 2006

South Africa has not moved forward in achieving the strategic objectives as set in 2001 e-Government policy<sup>8</sup>. This has prompted the DTPS to develop a coherent National e-Government Strategy and Roadmap which will provide direction for the implementation of e-Government. The adoption of this e-Government Strategy and Roadmap is essential for the transformation and modernisation of public service delivery.

As noted in the National ICT Policy Review report (2015) there are currently a number of different e-policies and strategies in place, and different instruments assign responsibility for an e-Strategy to different parts of government such as the DPSA (2001 National e-Government policy), DTPS (National e-Strategy as per the ECT Act<sup>9</sup>) or Information Society Development (ISAD) plan (2007). The NDP calls for the finalisation of a National e-Strategy that cuts across government departments and sectors of society. It is in this context that the department should lead in driving the development of such National e-Strategy in line with ICT Review recommendations.

There have been islands of e-Government initiatives in the country at the national, provincial and district level. Some of them have been highly successful and are suitable for replication. Some provinces including Gauteng and the Western Cape have advanced to a state where they have developed Provincial e-Government Strategies and established independent e-Government departments. Most government departments have embraced the use of ICTs for e-Government to promote service delivery and to make the government more efficient and effective significantly to improve administrative civil services. Although most websites of government are at the developmental stage but there are few of those that have made strides to provide online services. Some of the successful case studies of e-government services which the implementation of this Strategy will build on include the following:

- SARS e-filing is one of the sophisticated systems globally for tax management with good results on tax collection;
- Department of Home Affairs launched the Smart Identification Card System for citizens which is widely rolled out and the banking sector is assisting. The Smart ID cards have better security features;
- Integrated National Transport Information System (NATIS): Car and License Registration is functioning though it requires improvement to afford registration and renewal of services anywhere and everywhere in the country not only where users reside;
- The Department of Health approved the the National Health Normative Standards Framework (HNSF) for Interoperability in eHealth. The framework represents the first step towards a complete health enterprise architecture specification for South Africa. When fully developed, this enterprise architecture will define how eHealth

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<sup>8</sup> Department of Public Service and Administration, South African e-Government Policy

<sup>9</sup> Electronic Communications and Transactions Act, 2002 (Act no. 25 of 2002)



solutions, across all levels of healthcare in both the public and private health systems, will interoperate with each other to support person-centric continuity of healthcare and successful implementation of the National Health Insurance (NHI) initiative;

- SITA has a track record of developing Government-to-Government (G2G) and Government-to-Citizens (G2C) systems. G2G systems include Basic Accounting System (BAS), Logistic Management Information System (LOGIS), National Population Register (NPR), Social Pension Fund (SOCPEN), Police Crime Administration System (CAS) and electronic National Transport Information System (e-Natis). G2G systems developed include Government Websites, Batho Pele Gateway, SARS e-Filing, Department of Labour (DoL) U-Filing and Department of Health (DHA) "Trace and Trace".
- Mobile penetration has reached 100% in South Africa and there has been advancement in development of mobile innovations. Some of the mobile applications supporting e-government services include the Find & Fix mobile application launched by the Johannesburg Road Agency (JRA), an agency of the City of Johannesburg. The mobile app enables the public to report potholes, faulty traffic signals, storm water drains, manhole covers, and other infrastructure issues related to JRA. Similarly the City of Tshwane launched a mobile app city safety – Namola app. Namola uses GPS coordinates to map locations where security alerts are sent in partnership with Tshwane Metro Police Control Room. Security alerts by citizens are immediately sent to the control room and police officers are dispatched to the location for assistance.

A need was therefore felt for taking a holistic view of the several e-Government initiatives implemented across the country. It was increasingly perceived that if e-Government was to be speeded up across the various arms and levels of Government, a programme approach would need to be adopted, which must be guided by a common vision, strategy and approach. This would have the added advantage of enabling huge savings in costs, in terms of sharing the core and support infrastructure, enable interoperability through standards etc., which would result in the citizen having a seamless view of Government. It was with this background, that the National e-Government Plan was formulated for implementation across the country.

The need for greater coordination of strategies and implementation of digital policies across government requires that a central structure be established to drive a whole of government approach and develop a national e-Government policy and strategy. This will assist in aligning various initiatives across government and in ensuring accountability. The Department is well positioned to drive the required coordination.

### **International Benchmarking**

The world is going through rapid transformation owing to the fast pace of change in technological development and adoption. Government therefore have to pursue e-Government as a crucial means to make its government more competitive, by leveraging the world's best information and communications technology (ICT) to deliver services to its citizens. The United Nations (UN) developed a four stage maturity model of e-Government and the model was used for ranking the UN member states.

The four stages of the model are defined as follows:

- The 1st stage is **“emerging information” services**: In this stage, e-Government Web sites provide static information.
- The 2nd stage is **“enhanced information services”**: In this stage, the presence is enhanced with one way or simple two way communication.
- The 3rd stage **“transactional services”**: In this stage, a two way interaction with citizens is possible.
- The 4th stage is **“connected services”**: In this stage, Web sites are proactive in requesting citizens' feedback via Web 2.0 tools. Government agencies are citizen centric and services are customer centric.

The 9<sup>th</sup> and 2016 Edition of the United Nations e-Government Survey entitled “e-Government for Sustainable Development and produced by UN Department of Economic and Social Affairs was released on August 1, 2016. Like the past survey Reports, the 2016 edition provides a global assessment of the e-government development status of the 193 UN Member States. The report series is designed to serve as a tool for public administrations to learn from one another and identify areas of strength and challenges in their digital government policies, strategies and initiatives. The Survey tracks the progress of e-Government development via the e-Government Development Index (EGDI) which assesses e-Government development at the national level through the available Telecommunications Infrastructure, Human Capital and the national online presence of all 193 United Nations Member States. The Report specifically shows that the United Kingdom, followed by Australia and Republic of Korea lead in the global e-Government rankings.

Key to the success of e-Government internationally, is the establishment of a separate e-Government programme or office that is focused on the development and implementation thereof. These e-Government programs/offices, are managed usually by a “Ministry of Information Technology” or a “Ministry of Finance” or jointly, who are actively involved in the program.

A popular trend which has proved to be successful is the development of a central portal (electronic front office) that provides integrated public



information and services.<sup>10</sup> This provides the users with easy access to all government information and services and allows for *back-office integration* across the various government departments, encouraging inter-departmental collaboration.

In addition, most countries have recognised that **mobile devices** are the most widespread personal technologies. To benefit from this, most countries are beginning to provide citizens with the opportunity to receive personalised SMS alerts and notifications for various services, and has developed separate **m-Government** sites and mobile applications.<sup>11</sup>

A benchmarking exercise of South African e-Government activities against the UN e-Government Maturity Model resulted in an e-Government maturity classification of Level 2 (enhanced presence). The vision of digital transformation of government in South Africa is to ultimately achieve Level 4 of e-Government maturity. This will require that our e-government services, websites, processes and capabilities have to be harmonized and transformed to global standards. Provision of electronic services and solutions that are tailor-made for citizens' needs and an environment that enables citizen participation in government decision-making process are also key towards achieving this vision.

## 2. LEGISLATIVE MANDATE

Currently there are a number of role players in the South African Government that have a legislative mandate, whether directly or indirectly, to either manage, enable, develop, or implement e-Government. Please note that the following legislations are only extracts and interpretations from the legislation. For more details, please refer to the latest Acts.

The Electronic Communication and Transaction (ECT) Act of 2002 aims to provide for the facilitation and regulation of e-Government services and electronic communications and transactions with public and private bodies, institutions and citizens.<sup>12</sup> In addition, the ECT Act of 2002, including all its amendments, empowers the Minister of Telecommunications and Postal Services (MTPS) to develop the National e-Strategy. In the development of the National e-Strategy, all matters involving e-Government services shall be determined in consultation with the Minister of Public Service and Administration. Therefore the MTPS will need to take into consideration the requirements of the e-Strategy in the development of the National e-Strategy and will be required to seek advice from the MPSA on matters involving e-Government.

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<sup>10</sup> Department of Economic and Social Affairs, United Nations E-Government Survey 2012

<sup>11</sup> Department of Economic and Social Affairs, United Nations E-Government Survey 2012

The Public Service Act of 1994, including all its amendments, empowers the Minister of Public Services and Administration (MPSA) to develop and establish norms and standards related to, amongst other, information management and electronic government in the public service. The mandate of the Minister of Public Service and Administration therefore empowers the DPSA to provide direction on e-Government for the public service. Furthermore, the DPSA is mandated to foster good governance and sound administration in the public service<sup>13</sup>. This includes transforming and modernizing the public service through the development and implementation of policies and frameworks.

The Public Service Regulations of 2001, including all its amendments, sets out regulations for e-Government in Chapter 5. This section addresses 3 areas of e-Government. The first area is fundamental to electronic government which requires all departments to manage Information Technology (IT) effectively and efficiently, taking into consideration that IT must improve the delivery of public services, the productivity of the department and the cost-efficiency of the department.<sup>14</sup> The second area relates to information security whereby the MPSA is required to issue a handbook called the Minimum Information Security Standards (MISS). All persons working with public service information resources will be required to comply with the MISS. The final area deals with interoperability whereby the MPSA in consultation with the Government, Government Information Technology Officer Council (GITOC) is required to issue handbook on Minimum Interoperability Standards (MIOS). All departments are required to comply with MIOS as this is essential for seamless and integrated service delivery.

The State Information Technology Agency Act, 1998 (Act No. 88 of 1998) as amended in 2002 provides for the establishment of a company referred to as the State IT Agency (SITA). SITA is mandated to provide information technology, information systems and related services to, or on behalf of, participating departments and in regard to these services, act as an agent of the South African Government with the Minister of Telecommunications and Postal services as the sole Shareholder representing the Government.

Furthermore, the Section 7(6) of the SITA Act requires the Agency to set standards for the interoperability of information systems and standards for a comprehensive information systems security environment for departments. SITA is also required to certify every acquisition of any information technology goods or services by a department for compliance with the above mentioned standards. Therefore SITA plays a pivotal role in supporting the execution of the e-Government Strategy. This includes, inter alia, providing guidance to government on how to create and establish secure online e-Services, integrating government systems to allow for sharing of information

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<sup>13</sup> <http://www.dpsa.gov.za/about.php?id=16>

<sup>14</sup> Republic of South Africa, Public Service Regulations, January 2001

and performing the necessary research to help achieve the objectives as set out in this strategy. SITA has in accordance with its mandate supported the DPSA in the development of the MISS and the MIOS which specifies the policies and technical standards required for interoperability and security of information systems.

On the 6th of September 2012, Cabinet welcomed the NDP as prepared by the National Planning Commission (NPC) and acknowledged the plan as the strategic framework to form the basis of future government planning.<sup>15</sup> The NPC formulated the NDP with the aim of developing a long-term national strategic plan for the country. The vision for 2030 is to eliminate poverty and reduce inequality.<sup>16</sup> Although the NDP 2030 does not mention e-Government as a key enabler to the implementation thereof, it is important that the key elements of the NDP 2030 are taken into consideration in the development of the e-Government strategy to ensure that the long-term objectives of the e-Government strategy are aligned to those of the country.

However, the NDP 2030, does regard the vision for Information and Communication Infrastructure, inter alia, the formation of a seamless information infrastructure that will meet the needs of citizens, business and the public sector, providing access to the wide range of services required for effective economic and social participation.<sup>17</sup> This vision also includes the use of multicasting and instant online translation, digitisation and ICT applications which will make it easier for people to communicate and obtain information using different languages. It also promotes the development of mobile government (m-Government) services.<sup>18</sup>

There are other relevant legislations that impact on e-Government services such as The Protection of Personal Information (POPI) Act of 2013 in South Africa which aims at promoting the protection of personal information processed by public and private bodies and to introduce information protection principles so as to establish minimum requirements for the processing of personal information.<sup>19</sup>

The Protection of State Information Act regulates the manner in which States information should be protected; promote transparency and accountability in governance while recognising that State information may be protected from disclosure in order to safeguard the national interest of the Republic. It also provides for the protection of certain information from destruction, loss or unlawful disclosure; to regulate the manner in which information may be protected and to provide for matters connected therewith.<sup>20</sup>

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<sup>15</sup> <http://www.npconline.co.za/pebble.asp?t=1>

<sup>16</sup> National Planning Commission, National Development Plan Vision for 2030, November 2011

<sup>17</sup> National Planning Commission, National Development Plan Vision for 2030, November 2011

<sup>18</sup> National Planning Commission, National Development Plan Vision for 2030, November 2011

<sup>19</sup> Republic of South Africa, Protection of Personal Information Act, November 2013

<sup>20</sup> Department of Public Service and Administration, South African E-Government Policy, February 2006

With the implementation of e-Government sharing of information with the public and across government departments has never been easier. However, it is imperative that all public departments are aware of the requirements of the above mentioned legislations and ensure that appropriate measures are put in place to ensure that unauthorised persons do not obtain access to personal information of a data subject, that it remains confidential and that where State information is required to be protected from disclosure, that such information remains undisclosed.

### 3. PROBLEM STATEMENT

e-Government provides an opportunity to use ICTs for promoting greater accountability of the government, increase efficiency and cost-effectiveness and create a greater constituency participation. The e-Government approach will also strive to contribute to wider economic objectives such as achieving cost savings, fostering innovation in technologies and applications for e-Government and promoting growth by fostering a business-friendly environment.

The South African government is faced with several challenges of improving service delivery and the quality of services to citizens. With the opportunities offered by Information Communication Technologies (ICTs), government attempted to improve service delivery through e-Government. However, not much progress was made in the e-Government arena over the past few years.

The approved National Integrated ICT Policy White Paper by cabinet in October 2016 and The Information Society and Development (ISAD) Plan of 2007 identified several challenges that affected negatively on the progress of e-Government in South Africa. Some of the challenges are:

- Lack of synchronisation in approaches to digital transformation adopted by different government departments
- Duplication of processes, databases, large-scale system incompatibilities and inefficiencies as major e-Government hindrances.<sup>21</sup>
- Fragmentation of e-Government initiatives within government has been identified as one of major challenges. e-Government programme has not been directed and managed in a collaborative manner which lead to lack of accountability and responsibility due to the overlapping roles between government departments.
- There is no dedicated budget allocation for the specific implementation of e-Government in South Africa. A number of initiatives are still run under separate budgets.
- Currently there are still a number of government departments who make use of diverse applications, platforms, software and databases. Most of existing ICT systems were not designed to share information

<sup>21</sup> Information Society development plan, 2007

across departments. Cross departmental information sharing is essential to the success of e-Government, thus there is a need for government to standardise the interchange requirements for the delivery and management of data.

- A major reason for the limited progress of e-Government in South Africa is that the e-Government programme has not been directed and managed in a collaborative effort. The roles of the OGCIO, SITA and GITO's are not clearly defined or understood. There is no specific entity that ensures role of leading and managing the e-Government implementation in the country.
- The South African government is facing a challenge of government service delivery and reducing the administrative burden due to growth and mushrooming of population, technological advantages such as the mobile penetration rate can contribute to eliminating these challenges.

In terms of the SITA Act (section 6), SITA is responsible to improve service delivery to the public through the provision of IT, information systems and related services in a maintained information systems security environment to departments and public bodies; and to promote the efficiency of departments and public bodies through the use of IT. Since 2001, SITA has been involved in the implementation of e-Government in South Africa however it has been experiencing challenges due to decentralized funding for e-Government activities and lack of legislation to enable digitization of e-Government services. There is therefore a need to define a new role for SITA as a Digital Transformation Entity in the implementation of this National e-Government Strategy and Roadmap.

#### **4. VISION**

The vision for this strategy is to digitise government services while transforming South Africa into an inclusive digital society where all citizens can benefit from the opportunities offered by digital and mobile technologies to improve their quality of life. The strategy aims to optimise service delivery that provides universal access to government information and services anytime and anywhere.

#### **5. STRATEGIC OBJECTIVES**

The e-Government framework aims to:

- Ensure that all South Africans can access quality public service and government information from anywhere any time;
- Reduce the cost of public administration in South Africa;
- Harmonise the policy environment and legislative framework to enable digital transformation;

- Establish institutional mechanisms that will advance the coordination and facilitation of e-Government services;
- Create and manage reliable, accessible and cost effective common central services centres;
- Manage the development of frameworks addressing skills development;
- Deliver integrated electronic services which will ensure one stop service portal;
- Develop capacity and skills programme that will ensure sufficient service delivery;
- Develop monitoring and evaluation frameworks for e-Government services;
- Make government more accountable by making its operations more transparent, thus reducing the opportunities of corruption;
- Transform the way government interacts with citizens;
- Provide socio-economic development opportunities by empowering rural and traditional underserved communities using ICTs;
- Leverage on advances brought upon by technological innovations (such as cloud computing, internet of things (IoT), big data, mobile innovations, etc.) to drive the success of digitizing government;
- Expand the technological capabilities of citizens and businesses for participation in the government decision making process; and
- Provide administration in accordance with internationally acceptable standards and best practices.

## **6. GUIDING PRINCIPLES FOR e-GOVERNMENT SERVICES**

The following five primary principles for implementing e-Government focus areas or pillars in the ICT House of Values are the required prerequisite for successful implementation of e-Government initiatives:

### **6.1. Interoperability**

Government ICT systems (including networks, platforms, applications and data) must have the capacity to 'talk' to each other, allowing for architected sharing and exchange of electronic messages and documents, collaborative applications, distributed data processing and report generation, seamless transaction services, 'whole-of government' search and queries, integrated ICT systems management etc.

Of note is that Government has the ability to correct the situation, as well as manage the related aspects of the development of ICT infrastructure, because government consumes more than half of South Africa's ICT goods and services. The real nirvana of interoperability is to have machine-to-machine communication, in essence, removing manual intervention in as many steps as possible. Once this aspect is controlled, citizens will start to experience seamless government service.



It should be possible to achieve this objective, while maintaining a varied mix of ICT products and solutions. There is no need to unnecessarily uproot users from good ICT products and solutions and to upset a productive workforce by an inconsequential new product. Each user should continue working in a familiar environment, except where there is a good reason not to, but the ICT systems in the 'back office' potentially must be capable to provide communications with any other government system.

Government tender procedures must seek to enforce the policy of interoperability of systems. Therefore, the Minimum Interoperability Standards (MIOS) policy must insist that all ICT goods or services must be compatible with existing and planned government systems.

Competition ensures that government service delivery is not singularly dependent on any ICT vendor in the event of collapse. Government should continue to address the issue of designing and implementing a coherent hierarchy of architectures, encompassing the major domains of business, applications and technology.

Just as architecture is essential to building a house, ICT architectures play an important role in defining the underlying infrastructure needed for disparate networks, platforms, applications and data repositories to work together. Thus, ICT architectures present the blueprints for achieving interoperability.

## **6.2. ICT security**

Government operates in an environment where electronic documents, data and ICT systems must be protected from unauthorised access, malicious code and denial-of-service attacks. Interoperability should be achieved without compromising vital ICT security concerns. Government must not readily accept naive ICT vendor-driven solutions to solve the enormous problem of interoperability. Poor standardisation or inappropriate rationalisation breeds serious security problems.

E-government is premised, among others, on the availability of the Internet, and if web sites are compromised, then government data can be read or modified by attackers.

It is always better not to employ an ICT service for live production or to serve clients if competent ICT security has not been catered for. It is important to note that ICT security is not limited to authentication and encryption only. ICT security is related to: (a) avoidance, (b) deterrence, (c) prevention, (d) detection, (e) recovery, and (f) correction in all aspects of security. Security must be provided to ICT at all levels (i.e. physical, people, infrastructure, application or information).

## **6.3. Economies-of-scale**

Government must leverage its ICT buying muscle to encourage compliance with other key ICT focus areas. Unless well managed, the government's economic muscle may be fragmented, which could lead to unnecessary exploitation by some ICT vendors. As a developmental state such an economic muscle may be used to influence the development of local ICT industry that is not only limited to selling products made elsewhere. Development of local ICT skills that are crucial to e-Government initiatives should be encouraged through the government's ICT economic might. Also, ICT research can be steered towards answering service delivery imperatives through the government's ICT economic power.

The precise impact on employment is difficult to anticipate. If change is well managed and if people are responsible in managing their affairs then change can prove stimulating and provide new opportunities for employment and economic growth. It is intended that change management should enjoy high priority in the planning of any e-Government solution. Public servants and citizens must jointly reap meaningful benefits from any well-managed e-Government programme.

It is important to have dedicated funding for e-government implementation by the different government departments, managed through National Treasury processes.

#### **6.4. Eliminate duplication**

Government must abolish unnecessary duplication of similar ICT functions, projects and resources (including collection, processing and archiving of the same data), as well as practices of 're-inventing the wheel'.

The ICT Values attempt to illustrate the relationship between the ICT value and the key focus areas. It should be noted, that it is not possible to obtain ICT value without addressing the primary IT focus areas, while at the same time, developments in the key ICT focus areas do not necessarily lead to ICT value. However, these government ICT focus areas assume that some minimum resources are readily available to the entire government machinery.

#### **6.5. Digital inclusion**

At least 75% of South Africans do not have access to ICT infrastructure. Failure to provide access to the previously disadvantaged communities will further impede any effort on electronic government initiatives.

In a fair and rational society, all individuals have equal opportunity to participate in, or benefit from, the use of ICT resources by virtue of their citizenship, regardless of race, gender, religion, age, disability, language, or any other such factors. Empirical research in all nations confirms the growing gap between the rich and the poor, as well as between the well-educated



and the poorly educated users of ICT. As researchers broaden their scope to examine developing nations, the digital divide is of increasing concern and is essential to a developmental state.

A useful ensuing conceptual structure is depicted below. It consists of the enduring values in the top of the figure with supporting pillars consisting of the main focal areas and as a foundation, the factors that sustain the overall ICT policy framework.

## 7. CHANNELS OF e-GOVERNMENT SERVICES

The term channel connotes the means through which services are delivered to the customers. A Channel Strategy represents a set of business-driven choices about how and through what means services will be delivered to customers. The central theme of the e-Government framework is to enhance public service delivery through the phased electronic enablement of services.

However, provisioning services through electronic means is only beneficial if it facilitates the customers to access services anytime and anywhere in a more convenient manner. Identifying channels of customer's preference is a critical success factor for effective e-Government, as the choice of delivery channels has a major impact on the following:

- Technology infrastructure required to support the channel such as hardware, software and networking.
- Standard procedures and guidelines required to operate the channel.
- Organisation structure required to manage and deliver the electronic services such as skills, roles and alliances.
- Convenience and satisfaction for the customers in availing public services.

The public shall be given equal opportunity to reap the benefits of using e-Government services. An adequate and sufficient mechanism must exist to ensure that e-services are accessible to the public anytime anywhere. To this end the e-Government central portal, along with its information and services, shall be made available to the public at any time through the following channels:

### **i. Internet**

Government services must be made available to the public through the e-Government central portal. In addition departments must adopt the standard website template that will be developed for all governments website to have the same look and feel. All government services shall be made available online through the internet 24/7 365 days a year.

### **ii. Mobile**

Government services must be made available to the public through the use of mobile technology. Considering that most South Africans have access to a phone capable of connecting to the internet it is imperative that the

required infrastructure is developed to ensure that the services that will be made available on the central portal are also available through:

- Mobi site;
- Mobile apps (m-Commerce); and
- Unstructured Supplementary Service Data (USSD).

### **iii. Phone (Call Centre)**

An e-Government call centre should be established that will assist with the following:

- Technical support for departments providing service through the central portal;
- Technical support for citizens and business that make use of services provided through the portal;
- Information on all e-Government service;
- The ability for citizens and business to perform a transaction through the use of the call centre.
- In addition, e-Government services must be made available to the public through the use of interactive telecommunications including interactive voice prompts.

### **iv. Digital TV**

Through the implementation of digital set-top boxes by the Department of Communications (DoC), collaboration with DoC will be necessary to ensure that government services are made available to the public on the set-top boxes. An assessment must be performed to understand what information and services can be hosted through the set-top boxes.

### **v. Common Service Centres**

Currently, the odd 75 Thusong centres already established provide citizens in rural areas with access to government services. In achieving this strategy the services currently offered at the Thusong centres will increase dramatically. An adequate training mechanism must exist to ensure that staff at the Thusong centres are capable to deliver on all government services available at these centres.

Furthermore, additional service centres must be established in order to transform service delivery in the public sector. Government must consider leveraging off the existing foot print of the South African Post Office (SAPO) in bringing government service closer to the public.

In addition Government must adopt a customer ICT assistance approach. This means that the public will be provided with assistance from government via various channels (e.g. Thusong centres, call centres, online intermediaries, etc.). Appropriate training manuals and/or videos should be made available online to assist the public in executing an electronic transaction.

## **8. STRATEGIC APPROACH**

An efficient, effective and responsive government with better services is a strategic intent for e-Government in South Africa. The government envisions a connected and responsive one government, enabled by ICTs. In this intent, the government affirms that it embraces e-Government at all public sector levels. It will therefore promote, facilitate, and assist the achieving of this intent.

The government is set to address challenges related to e-Government implementation in the country. This framework states and suggests ways in which this intent will be achieved by:

- Establishing Institutional Framework and institutional mechanism to oversee the implementation of e-Government services programmes;
- Ensuring that there is establishment of a Legal and Regulatory Framework that supports the adoption and implementation of e-Government;
- Establishing a structure to facilitate efficient and effective citizen to government, government to government, government to business and government to employees interaction;
- Implementing a secure, robust, and interoperable e-Government Infrastructure;
- Leverage the use of ICT, within an effective e-Government environment, to meet vital socio-economic development goals;
- Seek active and direct participation of the private sector in the implementation of e-Government;
- Developing central e-Government services portal;
- Integrating e-Government services;
- Developing capacity and skills development programmes; and
- Establishing the e-Government call centres.

## **9. E-GOVERNMENT STRATEGIC OUTCOMES**

This Strategy aligned with the National Integrated ICT Policy White Paper which outlines the need for digital transformation of public service for digital society development.

The following three strategic outcomes of the National e-Government Strategy and Roadmap are derived from the National Integrated ICT Policy White Paper directives on digital transformation of public service and the five pillars in the ICT House of Values are the required prerequisite for successful implementation of e-Government initiatives. The e-Government strategic outcomes include;

### **9.1. E-Government Services Transformation**

ICTs to enable citizen participation and convenience require skills necessary for interacting with online services. Citizens now expect convenient and

instant service experience when interacting with government. This therefore calls for transformation of government-to-citizens solutions.

## 9.2. Enhanced e-Governance

Successful adoption of e-government services by citizens require government to integrate its e-government systems, while achieving the vision of offering stage 4 – connected presence as per the UN e-Government Maturity Model.

In order to achieve this outcome, focus will be given towards; integration of government systems, establishing core ICT infrastructure, improving governance of ICT, increasing skills capacity in government and digital literacy for citizens, and establishing institutional mechanisms for e-government implementation.

## 9.3. Digitally-enabled Society

The World Summit on the Information Society (WSIS) identifies a range of interrelated components necessary to realize its vision of an inclusive information society. These include ensuring access to infrastructure, that the content and services available on Internet and mobile platforms are relevant and that people have the skills and knowledge to utilize ICTs safely. Implementing successful e-Government initiatives require the need to ensure that the adoption of ICTs for government service delivery does not expand the existing digital divide. In order to enable citizens to take advantage of benefits of e-Government, the following issues are addressed; access to ICT infrastructure, digital literacy, connectivity costs and inclusion.

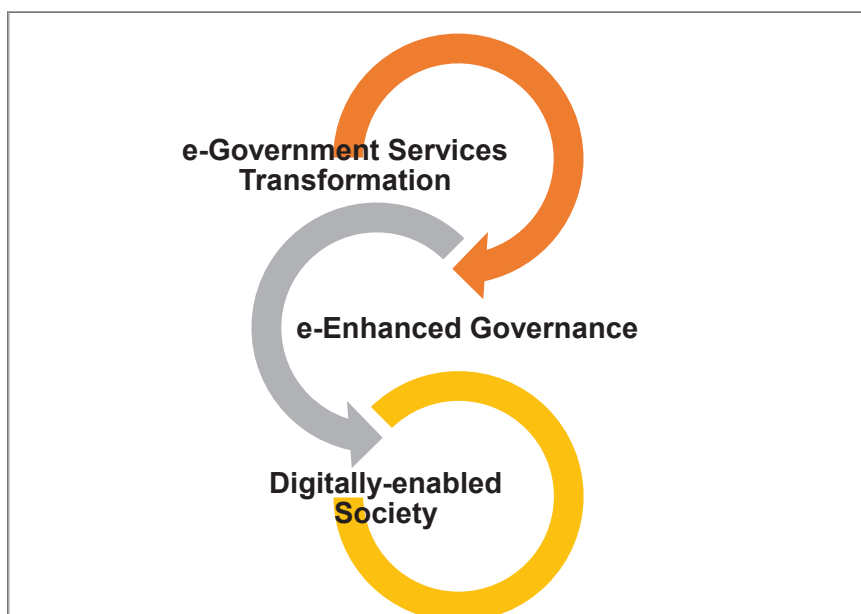


Diagram 1: National e-Government Model

The recommended strategic outcomes will be achieved through various projects that will address the strategic deliverables grouped in three main themes: enhanced e-governance, e-government services transformation and digitally-enabled society.

## **10. MAJOR INITIATIVES ON e-GOVERNMENT SERVICES**

All government services that can be delivered electronically shall be delivered electronically and access to those services shall be made available via the central e-Government portal. South Africa currently provides a lot of information on the Batho Pele Gateway about government and on the services government provides. However there are still a vast number of government services which are not delivered electronically. Therefore 150 government services can be considered for electronic enablement in a phased approach (This list is not static and could change before and during implementation of the strategic initiatives). In addition, these services have been clustered by departments as services will be phased into the portal, department by department. This is required to assist the departments in automating their business process to ensure back-end integration.

Key actions required for e-Government service initiatives that are required to be actioned are:

- a. Development of an e-Government central portal that will become the front-end of government. The central portal will provide a single view of a citizen. All government transactions will be performed through the portal. The portal will provide for information and transactional service. The portal is to be developed and managed by SITA. Therefore, the SITA Portal will become the front-end of all e-Government services offered to the citizens.
- b. The portal must adopt the following key principles/guidelines:
  - i. The e-Government central portal will be rebuilt to make it more user-friendly and incorporate a search engine which will allow users to easily find a service.
  - ii. The portal must be made available in each official language. This will drive take-up for e-Government and promote greater inclusivity.
  - iii. The portal must cater for all citizens including citizens with disabilities.

**CONTINUES ON PAGE 514 - PART 5**



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- iv. A standard template for the government websites will be developed to create standard look and feel for government online. All National and Provincial departments must ensure that all government department websites adopt the standard.
  - v. The portal must provide citizens with opportunity to give feedback on the functionality of the website as well as the quality of the service provided. This feedback could be through the system itself or through links with social media or electronic surveys where appropriate.
  - vi. The portal must provide the citizens with an opportunity to suggest potential new e- Services. This supports at least one of the Batho Pele principles, namely consultation. This principle provides the public with an opportunity to tell government what they want.
  - vii. The portal must exploit the benefits which social media can bring in raising awareness of public services and obtaining feedback from the public.
- c. Back end integration of e-Government services: For South Africa to achieve a single view of the citizen through the central portal discussed above, the integration of government is essential in truly achieving a single view of a citizen as currently information (data) about each citizen is dispersed throughout each government department. Therefore, SITA must develop the integration infrastructure that is required to connect each department back-end systems with the central portal (Front-Office).
- d. Additionally, SITA must develop a Government Master Data and Service Governance structure. Essentially this is the management of a large Data Warehouse that will centrally host all departments' information regarding a citizen or business in order to achieve a single view of a citizen and provide that personalised service offering to the public.
- e. In delivering electronic services (e-Services) one should not simply take the existing processes and services and put them online. SITA must work with the all government departments in redesigning the business processes and rethink how government services should be delivered online. This redesign process would take into consideration the possibilities of sharing and/or using information that is available across all the three spheres of government as well as the integration of like services into a single transaction.
- f. When the implementation of the proposed architecture is complete, the automation of process per department shall be performed in a



phased approach. The services shall be clustered per department and brought online in the phased approach. This will allow for a Proof of Concept (POC) with one department where bugs can be ironed out before rolling on all departments. In addition, SITA must leverage off lessons learnt during the POC when rolling out online services for the rest of the departments.

- g. In order for South Africa to leapfrog into providing a truly personalised e-Government central portal where all users are able to transact online from one central portal as well as obtain information on all government services, it is imperative that SITA must work with all government departments to implement the e-Government Framework. The structures represented in the framework will provide for the integration of government departments, which is the key requirement in providing a personalised service offering online to all citizens and business.
- h. Additionally, in successfully implementing the proposed common cloud ICT Architecture, it will enable the implementation of Government-to-Government (G2G) service.
- i. Implementation of adequate security mechanism: The goal is to enable the use of a single sign-on using multi factor authentication mechanism to access all e-government services. Therefore, in achieving the strategic objective of effectively delivering integrated electronic service to the public, it is imperative that a single sign-on strategy is adopted for all government electronic services. This strategic initiative will achieve this by leveraging of and improving on the existing infrastructure in South Africa. Therefore, in order to achieve a single sign-on mechanism for all e-Government services, the following is required:
  - i. A risk based approach must be adopted for all online services and transactions meaning that the authentication mechanism used by the public to access and transact needs to be determined by the risk of the transaction. Therefore for basic services, such as account information, a single factor authentication is sufficient. Should the customer thereafter be required to perform an online transaction, such as submitting tax returns online, the use of e-ID to securely authenticate the user and authorise the transaction should be used.
  - ii. SITA in collaboration with government departments will be required to develop the infrastructure required to obtain single-sign on for all e-Government services through the central portal. This will be achieved by leveraging of the existing infrastructure that DHA and the South African Post Office have developed.

- j. The use of e-ID technology for e-Government services will have to be adopted in compliance with the National E-Identity and PKI Strategy. The strategy will address, but not limited to, the following:
  - i. Authentication and securing of the identities of the parties to an e-transaction;
  - ii. Confidentiality, ensuring information is kept private;
  - iii. Integrity ensuring the information or process has not been modified or corrupted;
  - iv. Non-repudiation ensuring neither party can refute that the transaction occurred (i.e. the transaction is binding); and
  - v. The structure and regulatory framework for E-Identity and PKI.

## 11. ICT INFRASTRUCTURE FOR e-GOVERNMENT SERVICES

**Robust ICT infrastructure:** rapid advances in ICT infrastructure provide the means to get information to poor and marginalised communities in order to improve their quality of life. ICT plays a role in enabling the modernisation of government and its services. It allows both individuals and companies the opportunity to interact with government, using different forms of communication gadgets such as: Desktop computers, Laptops, Cell phones, Telephones, Self-service kiosks and ATMs. From this perspective, the quality of service delivery dictates the improvement of the ICT infrastructure.

The challenge facing public sector executives is how to make government service easier, quicker, cheaper, more efficient, and more responsive. The development of information communication technology is improving government services through information dissemination, interactive service delivery, and online interactions.

Some of the challenges facing the South African government are essentially historical. One of them is the digital divide that limits access to ICT services. Historically, the country's educational infrastructure has been segregated and unequal. ICT provision in schools still reflects this fact. South Africa needs ICT infrastructure – bandwidth, physical installations, hardware, and software that will serve all citizens well.

Research recognises that ICT infrastructure is one of the main challenges of e-Government. Internetworking is required to enable appropriate sharing of information and to open up new channels for communication and delivery of new services. For a transition to electronic government, architecture – that is, the guiding principles, models, and standards – is critical.

**Security:** As governments move towards the adoption of e-Government applications, security becomes a critical factor that influences its development at all stages. E-Government raises a potential problem concerning computer security. Security has received widespread attention

in the e-Commerce literature under the broad banner of information privacy. It is also noted that the security of information requires protective mechanisms to safeguard such information from unsanctioned or illegal intrusion.

One of the most significant challenges in implementing e-Government initiatives is computer security. For e-Government activities, service continuity is critical not only for the availability and delivery of services, but also to build citizen confidence and trust. However the risks of fraud and the misuse of sensitive data are concerns as well. The security/trust dimension is an important concern, although different levels of e-Government have differing needs in this area.

Portals that are at rudimentary stages are unlikely to give rise to security concerns in citizens. But as they mature, e-Government initiatives allow citizens to transact online, and require them to provide more information to online information systems, thus exposing them to hackers and viruses. The government needs to foster a sense of trust by limiting the sharing of personal identifiable information with entities to which citizens had not directly supplied that information.

From the preceding literature on ICT security, it is necessary that all spheres of government must design security features on their ICT systems when deciding to provide e-Government services. This creates the need for a clear and holistic approach to addressing and incorporating security at the various stages of the development models.

**Privacy:** It is very important part of e-Government services. The enhanced communication of the World Wide Web is embedded in social practice in such a way that citizens expect the communication protocol that guides everyday life to apply to cyberspace as well. If communication is dealt with appropriately, the adoption of e-Government could reduce resistance to using the World Wide Web.

Based on theories gathered about privacy, it is very much conclusive that portals at rudimentary stages are unlikely to give rise to privacy concerns in citizens. But as they mature, e-Government initiatives allow citizens to transact online, and require them to provide more information to online information systems, thus exposing them to various vulnerabilities. It is conclusive that governments need to foster a sense of trust by limiting the sharing of personal identifiable information with entities to which citizens had not directly supplied that information.

## 12. E-GOVERNMENT ROLE PLAYERS AND INSTITUTIONAL ARRANGEMENTS

A multi-stakeholders partnership approach drive the development of the best e-Government programme in developed and developing countries. This

approach provide means for all the relevant key stakeholder groups to be included in ways that not only demonstrate the value of their contributions but also provide for a synergistic impact that can be visible and that can be measured.

A programme approach at the National, Provincial and Municipal levels for implementation of the National e-Government plan, various Departments at National, provinces and municipalities levels are involved. Considering the multiplicity of agencies involved and the need for overall aggregation and integration at the national level, National e-Government Plan is being implemented as a programme, with well-defined roles and responsibilities of each agency involved. For facilitating this, appropriate programme management structures must be put in place.

The following governance model will guide the implementation of the National e-Government Strategy and Roadmap.

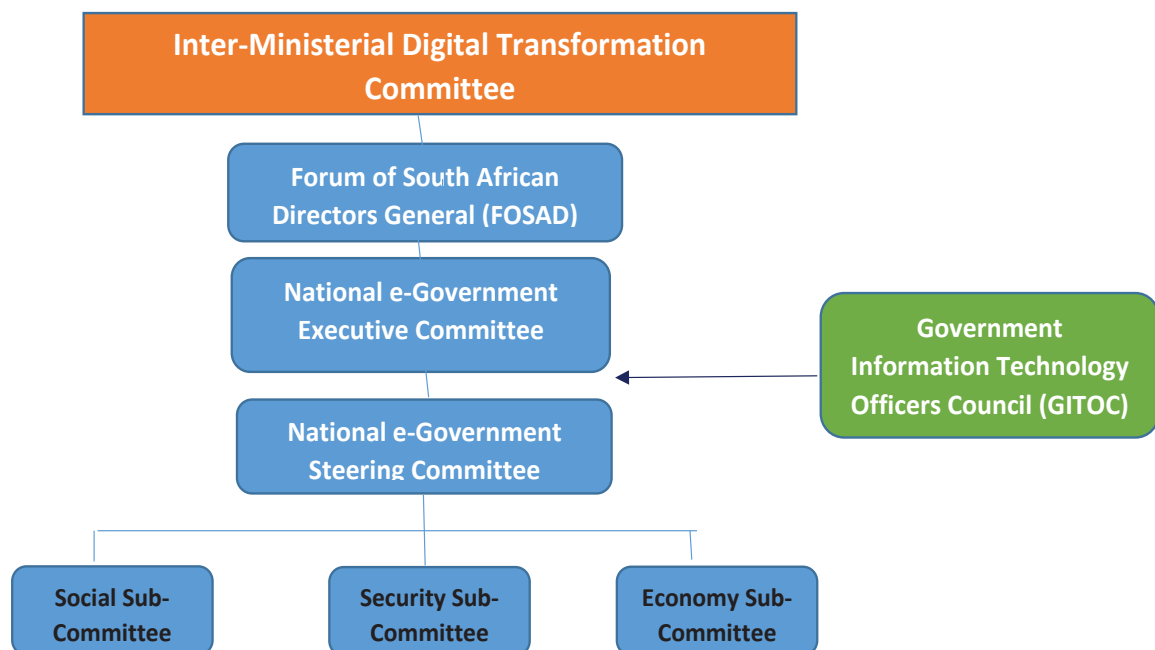


Diagram 2: National e-Government Governance Model

## 12.1. Institutional Mechanisms

### • Inter-Ministerial Digital Transformation Committee

The National Integrated ICT Policy White Paper calls for the establishment of a Cabinet Inter-Ministerial Digital Transformation Committee. The Committee will be responsible for driving the e-Government programme across the public service and facilitating coordination of activities across government

to ensure that a whole-of-government approach is applied. The Digital Transformation Committee will be responsible for:

- Approving e-Government Plans for implementation of the National e-Government Strategy and Roadmap to realise and prioritise all policies included in this White Paper;
- Champion the establishment of an e-Government budget vote through National Treasury processes to secure dedicated funding for e-Government activities;
- To ensure e-Government policy and regulatory portfolio in alignment with government priorities and the MTSF (Medium Term Strategic Framework) outcomes. This will be achieved through the establishment of an MTSF directive on e-Government to ensure planning and evaluation of e-Government implementation by the different government departments;
- Direct the programme for change across the public service. It will facilitate coordination of activities across government to ensure that a whole of government approach is applied;
- Individual Ministries will be responsible for roll-out of ICT-related solutions in their specific focus areas. The Committee will assist in ensuring that any challenges faced by individual Ministries in implementation are addressed speedily and that Departments, Provincial and Local Governments are provided with strategic assistance where necessary; and
- The Committee will rigorously monitor progress against objectives.

The Committee will include Ministers of Telecommunications and Postal Services, Communications, Public Service and Administration, Planning, Monitoring and Evaluation, National Treasury, Cooperative Governance and Traditional Affairs, Health and Education. The Committee will be chaired by Minister in the Presidency.

- **National e-Government Executive Committee (NEEC)**

The National e-Government Executive Committee (NEEC) will be a supporting structure of the Cabinet Inter-Ministerial Digital Transformation Committee with the aim to coordinate and secure e-Government programme commitments across Departments. The Committee will be chaired by the Director-General (DG) of Presidency and will comprise the Chief Executive Officer (CEO) of SITA and DGs of DTPS, DPSA and National Treasury. The Committee will provide strategic guidance to government on issues of e-Government and report its plans and activities at the FOSAD (Forum of South African Directors General) before they could be tabled at the Cabinet Inter-Ministerial Digital Transformation Committee.

- **National e-Government Steering Committee**

The National e-Government Steering Committee will be an inter-governmental committee responsible for ensuring implementation of the National e-Government Strategy and Roadmap by government

departments and their entities. The Committee will be chaired by the DG of DTPS.

The Committee will have sub-committees on social, security and economy to address issues relating to government services by the relevant departments.

- **Government Information Technology Officers Council (GITOC)**

The GITOC will provide technical and advisory support to DTPS, DPSA and SITA on issues relating to digitisation of government services. The GITOC constitution is to be amended to include e-Government responsibility.

## **12.2. Roles and Responsibilities**

- **Department of Telecommunications and Postal Services (DTPS)**

DTPS is the facilitator and catalyst for the implementation of National e-Government Strategy and Roadmap by various Government departments and also provides technical assistance through SITA and manages the programme. This will be achieved through the following activities;

- DTPS will lead the establishment of the Cabinet Inter-Ministerial Digital Transformation Committee and provide secretariat support to the Committee;
- Review all legislations affecting e-Government to harmonise the frameworks and to improve service delivery through ICTS;
- Drive the uptake of e-Government services within government and by citizens through communications and awareness campaigns;
- Develop strategies and programs to drive open government;
- Develop technology roadmaps on leveraging technological innovations (such as cloud computing, internet of things (IoT), big data, mobile innovations and data object architecture (DoA)) by government;
- Create a platform for the identification and coordination of projects
- Ensure compliance to government wide security standards and measures.

- **Department of Public Service and Administration (DPSA)**

The DPSA's responsibility is towards government process re-engineering and change Management, which are desired to be realised across all government departments.

- **National Treasury**

The National Treasury allocates funds for National e-Government Programme through Plan and Non-plan budgetary provisions and lay down appropriate procedures in this regard. The National Treasury will support the DTPS in the establishment of an e-Government budget vote to secure dedicated funding for e-Government activities.

- **National, Provincial and Local Government**

- The role for the National departments is to provide for e-Government services. Departments will identify and inform the DPSA and DTPS about various departmental Government-to-Citizen (G2C), Government-to-Government (G2G), Government to Employees(G2E) and Government to Business (G2B) services which can be delivered through SITA electronically. The Departments would further do the back-office computerization for the identified services at headquarter, provincial and district levels. Departments will provide the required support for framing policies. Departments will also take necessary action to make the delivery of e-Government services a success.
- The role for the provincial administration in the e-Government services is to coordinate provincial and municipal e-Government services with various departments and stakeholders and shall further organize the awareness and sensitization workshops for the masses.

- **State Information Technology Agency (SITA)**

SITA is responsible to improve service delivery to the public through the provision of IT, information systems and related services in a maintained information systems security environment to departments and public bodies; and to promote the efficiency of departments and public bodies through the use of IT. There is therefore a need to define a new role for SITA as a Digital Transformation Entity in the implementation of this National e-Government Strategy and Roadmap.

The delivery of government services would be mandatory for SITA especially at National and provincial level, and will work together with DTPS and DPSA in providing project management and other support to all e-Government projects.

### **13. MONITORING AND EVALUATION OF e-GOVERNMENT SERVICES**

There is a lack of compliance by sector departments with regard to the identification, execution and implementation of e-Government projects. Most government departments view e-Government within the ambit of their internal departmental business needs, goals and initiatives. As a result, duplication occurs and there is no synchronised approach to the implementation of e-Government within the Public Service.

The DTPS will develop a Monitoring and Evaluation Strategy for e-Government implementation with indicators agreed to by all relevant stakeholders. The model for monitoring and evaluation of e-Government services projects will be developed and form part of the e-Government Monitoring and Evaluation Strategy. This model will serve as a tool for understanding what would be needed to change while developing and implementing projects and to assess the impact of the National e-



Government Strategy and Roadmap implementation in South Africa. The model will also serve as a guiding framework for South Africa to improve its global rankings on advancing digital transformation of government services.

#### **14. FUNDING FOR e-GOVERNMENT SERVICES**

Globally there has been a concerted effort to ensure the fast tracking of e-Government projects through a variety of financial models. The scale and scope of the interventions to be undertaken for South Africa to meet its e-Government objectives requires investment by public and private sectors.

Worldwide, the implementation lack of financial resources, and low levels of skills and limited capacity of governments are some of the main obstacles faced in pursuance of e-government nationwide. The introduction of Public-Private Partnerships (PPP) is seen as a solution to overcome many of the obstacles and challenges faced by governments in realizing the objectives of e-government projects. The PPP model is expected to increase opportunities for both the public and private sectors to serve their customers more effectively and efficiently. An environment conducive to private sector investment must be created through enabling policy and regulations for e-Government services. The different PPP models will be explored to identify the best option and these include; contracting for electronic services and ICT facilities management, co-ownership and co-financing of projects and use of build-operate-transfer (BOT) agreements.

In government, the implementation of this Strategy will need additional funding for transversal programmes and individual government entities. An e-Government Investment Framework should be developed by the DTPS in consultation with National Treasury. It is recommended that a dedicated e-Government budget vote be established, informed by this e-Government Investment Framework.

#### **15. HIGH LEVEL IMPLEMENTATION PLAN**

The National e-Government Strategy and Roadmap clearly sets out the vision for e-Government in South Africa and proposes what needs to take place to accomplish the vision. This section is part of the Roadmap that outlines the key actions which ought to take place to enable the implementation of this Strategy. This is a high-level action plan indicating broadly what is to be achieved, who will be responsible and the estimated timelines.

Once the National e-Government Strategy and Roadmap has been approved by Cabinet, the first key activity that will need to be undertaken by the DTPS is the amendment of the ECT Act and the Public Service Act in collaboration with DPSA. This will allow for the establishment of Cabinet Inter-Ministerial Digital Transformation Committee to oversee the development of detailed, integrated national e-Government plans. The successful digital



transformation requires extensive cooperation and collaboration between government spheres.

The DTPS shall in collaboration with SITA and the Inter-Ministerial Digital Transformation Committee, formulate plans for the establishment of the required e-Government infrastructure and the delivery of eServices to realise an inter-operable government. These plans shall include, at a minimum, a detailed work plan, relevant architecture plans and a detailed implementation plan. These plans will leverage off the current e-Government assets which SITA has already developed. These include the deployed portal, the respective departmental eServices and the SITA e-Gov Digital Strategy. All Government departments should be aware of the detailed plan and continue to re-design their current business processes taking into account the requirements set out in this plan.

Throughout this process, the DTPS and DPSA in collaboration with respective departments must raise awareness of the eServices to increase the take-up. This may be accomplished by providing information on the eServices through various communication channels such as government websites, in press releases, print media on printed forms, advertising banners, radio, television and/or through the use of appropriate social media platforms.

SITA will be a technical leader in this digital transformation of government services journey, collaborating with the various government departments to realise a digital government that embraces citizen centricity.

Below is the high level implementation plan for the National e-Government Strategy over a 5 year period (2017 – 2021)

#### 15.1. NATIONAL E-GOVERNMENT STRATEGIC INITIATIVES AND TARGETS

<b>e-Government Strategic Outcome</b>	<b>Deliverables</b>	<b>Target (3 years)</b>	<b>Responsible party</b>
1. E-Government Services Transformation	Establish a standardised open digital platform to allow for a connected government	2016- 2018	SITA and all other government departments
	Identify citizen facing Public Services that are candidates for electronic service delivery (such as to apply for certificates, permits, basic services, licenses, grants, etc.)	2017-2018	DTPS, DPSA and all other government departments
	Establish mobile sites to increase access to services	2017- 2020	DTPS and its entities

	Design and implement mobile innovations for offering mobile services	2017- 2020	DTPS, DST and SITA
2. E-Enhanced Governance	Development of a National e-Government Strategy and Roadmap	2016-2017	DTPS
	Development of a 3 Year eServices Implementation Plan (aligned to SITA eGov Digital Strategy)	2016-2017	SITA
	National audit of government ICT systems	2016- 2018	SITA
	Develop e-Government governance structure and plans	2017- 2018	DTPS and DPSA
	Develop an Open Government Framework	2018 - 2019	DTPS and DPSA
	Review/Refine Catalogue of Public Services across all spheres of government	2017-2018	DTPS and all other government departments
	Digitalisation of Government Business Services	2016- 2019	SITA and all other government departments
	Establish the e-Government common service centres	2017 - 2020	DTPS, GCIS, SAPO, SITA and all other government departments
	Harmonise the policy environment and legislative framework through the review all legislations affecting e-Government to harmonise the frameworks and to improve service delivery through ICTS.	2017- 2020	DTPS and DPSA
	Establish Cabinet Inter-Ministerial Digital Transformation Committee that will champion the implementation of e-Government in South Africa	2017-2018	DTPS and DPSA

	Re-focus of SITA as a Digital Transformation Entity	2017-2019	DTPS and SITA
	Developing e-Skills Strategy for e-Government services	2017-2019	DTPS, NEMISA and all other government departments
	Develop programme for re-skilling and capacitating the government employees to provide e-Services	2018-2021	DTPS, NEMISA, SITA, GITOC and all other government departments
3. Digitally-enabled Society	Develop e-Skills programmes for rural and underserved communities. Establish centres of excellence in the municipalities and provinces to capacitate and empower rural areas	2017-2021	DTPS, NEMISA and all other government departments
	Develop monitoring and evaluation strategy for e-Government	2018-2019	DTPS, Stats SA, SITA and all other government departments
	Establish a monitoring and evaluation system for e-Government implementation in South Africa	2018-2021	DTPS, Stats SA, SITA and all other government departments
	Develop communication and awareness plans for e-Government services roll-out across all levels of government to drive change management towards a paperless government	2017-2018	DTPS, DPSA and all other government departments
	Implement communication and awareness plans for e-Government services roll-out	2018-2021	DTPS, DPSA and all other government departments

## 16. RISK ANALYSIS AND MITIGATIONS

The impact of key decisions on the ultimate success of the e-Government implementation will need to carefully consider risk factors on an ongoing basis. These risks could be associated with any of the major components involved with the programme as detailed below:

- People: Availability of suitably qualified people, their understanding and appreciation of each project/programme, perception of programme's management on their work schedules and quality of work.
- Processes: Magnitude of change to existing business processes, security considerations, and changes that can stand the test of time.
- Technology: The choice of the appropriate technology, the need for the adoption of specific standards. The monitoring of selected standards to ensure a balance between opportunity and cost. Effective management of risks involves: identifying possible risks in advance, having processes in place to monitor risks, having the right balance of control in place to mitigate the adverse consequences of the risk, should it materialize; and establishing a decision-making process supported by a framework of risk analysis and evaluation.
- Active risk management helps the achievement of wider programme aims, such as: effective change management, the efficient use of resources, better programme/project management, minimizing waste and fraud, supporting innovation, and increased understanding and visibility of e-Government initiatives, leading to a more realistic estimate of timescale and costs.
- An initial set of risks for e-Government implementation has been listed in the table below:

Risk Mitigation	
Risk	Mitigation
i. Government departments are too slow to adopt the e-Government services to migrate manual processes to make them online services.	The DTPS and DPSA should collaborate to engage all government departments to encourage them to make e-Government services as part of their priorities.
ii. Lack of e-Governance structure	DTPS in conjunction with DPSA will develop the framework for e-

	Governance structure indicating responsibilities of each government departments.
iii. Lack of capacity and availability of resources including availability of local skills to implement and use e-Government services.	Each government department will arrange training to re-skill people and to strengthen e-government services related skills
iv. Cooperation and harmony among government entities in decision making for e-Government initiatives	Establish Inter-governmental working groups with clear authority over defined e-Government initiatives
v. Ability and willingness of government entities to document and share their business requirements, processes, services, data and strategies	Active coordination among government entities to document and share information necessary for e-Government initiatives
vi. Conflicting decisions among government departments	Use of inter-governmental working groups with clear authority to supervise and enforce e-Government policies and standards
vii. Resistance to change	Increase awareness among stakeholders, raise accountability and enhance change management
viii. Misalignment with other government entities	Invest in good coordination with key stakeholders and initiative owners

## 17. GLOSSARY

CoGTA	Cooperative Governance and Traditional Affairs
DOC	Department of Communication
DHA	Department of Home Affairs
DoL	Department of Labour
DPSA	Department of Public Services and Administration
DTPS	Department of Telecommunications and Postal Services
EGDI	e-Government Development Index
e-ID	Electronic Identity
G2B	Government to Business services are all services public bodies provide to businesses via electronic channels.
G2C	Government to Citizens services are all services public bodies provide to citizens via electronic channels.

G2G	Government to Government services are electronic non-commercial interaction between government organisations/ public bodies and authorities.
GITO	Government IT Officer (Chief Information Officer of a Department)
GITOC	Government IT Officer's Council (Includes various Standing Committees)
HANIS	Home Affairs National Information system
ICT	Information and Communication Technology. Also used as IT
IT	Information Technology. Also used as ICT
ISADR	Information Society Development and Research
OGCIO	Office of the Government Chief Information Officer (See PSICTM)
MIOS	Minimum Interoperability Standards
MISS	Minimum Information Security Standards
MOC	Minister of Communication
MPSA	Minister of Public Services and Administration
NBIS	National Basic Information System
NDP	National Development Plan 2030
NPC	National Planning Commission
OSS	Open Source Software
PKI	Public Key Infrastructure
Plan	A detailed scheme, program or method worked out beforehand for the accomplishment of an object
PNC on ISAD	Presidential National Commission on Information Society And Development
POC	Proof of Concept
PRC	Presidential Review Commission
PSICTMO	Public Service ICT Management Officer
RSA	Republic of South Africa
SAPO	South African Post Office
SARS	South African Revenue Services
SITA	State Information Technology Agency
UN	United Nations

## ANNEXURE A – IDENTIFIED DEPARTMENTS WITH PROPOSED e-SERVICES CATALOGUE

National Department	Proposed services	Service Description
1. Department of Transport	Driving and Motor Vehicle Licences	<ul style="list-style-type: none"> <li>• Register personalised number plate</li> <li>• Renew motor vehicle licence</li> <li>• Apply for a motor vehicle licence</li> <li>• Notification of change of address or particulars of a person or organization</li> <li>• Apply for a temporary permit</li> <li>• Change of ownership or sale of a motor vehicle</li> <li>• Apply for certificate/duplicate document in respect of a motor vehicle</li> <li>• Confirm motor vehicle detail changes</li> <li>• Apply for traffic register number</li> <li>• Apply for a roadworthiness certificate</li> <li>• Register as a driving instructor</li> <li>• Register a driving licence testing centre</li> <li>• Register as a testing station</li> <li>• Register and licence a vehicle</li> <li>• De-register (scrap) a motor vehicle</li> <li>• Apply for a learner's licence</li> <li>• Apply for a driving licence</li> <li>• Apply for letter of authority in respect of motor vehicle</li> <li>• Apply for a professional driving permit</li> <li>• Renew driver's licence</li> <li>• Register as a manufacturer/importer/builder of vehicles / Make an oath to build up a motor vehicle</li> <li>• Apply for motor trade permit and number</li> <li>• Apply for a temporary driving licence</li> <li>• Apply for special classification in respect of licence fees</li> <li>• Apply for refund of licence fees</li> <li>• Apply for replacement of lost or stolen driver's licence</li> <li>• Apply for exchange of foreign driver's licence</li> </ul>

2. Department of Social Development.	Social benefits	<ul style="list-style-type: none"> <li>• Child support grant</li> <li>• Disability grant</li> <li>• Foster child grant</li> <li>• Care dependency grant</li> <li>• Enrol on new grant payment system</li> <li>• Social relief of distress</li> <li>• International social services (ISS)</li> <li>• War veterans grant</li> <li>• Old age pension</li> <li>• Admission to old age home</li> <li>• Grant in aid</li> <li>• Admission to old age home</li> <li>• Register as a community based caregiver for older persons</li> <li>• Register as caregiver for older persons</li> <li>• Closing an older persons residential facility</li> <li>• Register as a community based caregiver for older persons</li> <li>• Register a non-profit organisation</li> </ul>
3. Department of Health	e-Health	<ul style="list-style-type: none"> <li>• Enables citizens (patients and caregivers) to access and manage personal medical Information (certification, fees, and account management).</li> <li>• Advice to South Africans in the event of death abroad</li> <li>• Give notice of death</li> <li>• Admission into a mental health institution</li> <li>• Communicable diseases</li> <li>• Register medical aid scheme</li> </ul>
4. Department of Basic Education (DBE)	e-Education	<ul style="list-style-type: none"> <li>• School management system</li> <li>• Students enrolment system</li> <li>• Distance learning</li> <li>• Infrastructure and assets management</li> <li>• Apply for reissue of matric certificate (Application for the re-issue of a matriculation certificate)</li> <li>• Apply for the registration of a learner for home schooling</li> <li>• Apply to register as an educator</li> <li>• Apply to register with an ABET centre</li> <li>• Provide Admission to school services</li> <li>• Apply for accreditation as a service provider (Application to SAQA accreditation as a service provider )</li> </ul>



		<ul style="list-style-type: none"> <li>• Apply for evaluation of foreign qualifications</li> <li>• Accredite Education and Training Quality Assurance body (ETQA)</li> <li>• Verify qualification achievements on the National Learners' Records Database</li> </ul>
5. Department of Higher Education and Training (DHET)	e-Higher Education	<ul style="list-style-type: none"> <li>• Register as a private higher education institution (Application for registration as a private higher education institution)</li> <li>• Register with tertiary institution</li> <li>• Apply financial assistance from the National Student Financial Aid Scheme (NSFAS)</li> <li>• Apply to register as an educator</li> <li>• Register as tertiary institution</li> <li>• Apply for accreditation as a service provider (Application to SAQA accreditation as a service provider )</li> <li>• Apply for evaluation of foreign qualifications</li> <li>• Accredite Education and Training Quality Assurance body (ETQA)</li> <li>• Verify qualification achievements on the National Learners' Records Database</li> </ul>
6. National Treasury	Financial management system, procurement process and related services.	<ul style="list-style-type: none"> <li>• Procurement system</li> <li>• PFMA management system.</li> <li>• Monitor provincial infrastructure development</li> <li>• Monitor municipal financial management reforms</li> <li>• Payment of pension benefits and contributions to funds (including special pensions)</li> <li>• Payment of contributions to medical aid schemes</li> <li>• Payment of risk and administration fees to the Political Office Bearers' Pension Fund</li> <li>• Provide special pensions awareness campaign</li> <li>• Payment of military pension benefits</li> <li>• Payment to service providers for medical expenses</li> </ul>

7. Department of Trade and Industry	Business registration, business incentives, intellectual property etc.	<ul style="list-style-type: none"> <li>• Business Process Services (BPS) Incentive</li> <li>• Co-operative Incentive Scheme (CIS)</li> <li>• Clothing and Textile Competitiveness Improvement Programme (CTCIP)</li> <li>• Export Marketing &amp; Investment Assistance Scheme (EMIA)</li> <li>• Production incentives (PI)</li> <li>• Sector Specific Assistance Scheme (SSAS)</li> <li>• Section 12i Tax Allowance Incentive (12i TAI)</li> <li>• Support Programme for Industrial Innovation (SPII)</li> <li>• Technology and Human Resources for Industry Programme (THRIP)</li> <li>• Tourism Support Programme (TSP)</li> <li>• Application for the registration of a patent</li> <li>• Registration of Trademark</li> <li>• Application to register a copyright</li> <li>• Register a design</li> </ul>
8. Department of Correctional Services	e-correctional services	<ul style="list-style-type: none"> <li>• Provide safe, secure and humane conditions of incarceration</li> <li>• Manage access to Correctional facilities</li> <li>• Manage payments of bail and fine at correctional facilities</li> <li>• Schedule visitation of inmates</li> <li>• Induct/Orientate Civilians about Prisons</li> <li>• Manage complaints</li> <li>• Attend to reported incidents</li> <li>• Provide health care services</li> <li>• Conduct recreational programmes</li> <li>• Offer personal development services to offenders</li> <li>• Provide after-release supervision</li> </ul>
9. Department of Home Affairs	e-Home Affairs	<ul style="list-style-type: none"> <li>• Register birth</li> <li>• Apply for identity document</li> <li>• Register foreign birth</li> <li>• Apply for citizenship</li> <li>• Register marriage</li> <li>• Apply for consent of marriage of a minor</li> <li>• Apply for adoption</li> <li>• Apply for child passport</li> <li>• Apply emergency travel certification</li> <li>• Apply for maxi passport</li> <li>• Apply for official passport</li> </ul>

		<ul style="list-style-type: none"> <li>• Apply for crew member certificate</li> <li>• Report lost/stolen tourist passport</li> <li>• Report lost/stolen child passport</li> <li>• Request document for travel purpose</li> <li>• Report lost/stolen maxi passport</li> <li>• Report lost/stolen document for travel purpose</li> <li>• Re-register child born out of wedlock</li> <li>• Change gender</li> <li>• Change Surname of Minor</li> <li>• Change Surname of Major</li> <li>• Change Forenames</li> <li>• Correct of error(s)</li> <li>• Insert forenames in the birth register</li> <li>• Insert biological father's details in the birth register of his child</li> <li>• Register death</li> <li>• Apply for death certificate</li> <li>• Register death outside south Africa</li> <li>• Apply for permanent residence</li> <li>• Apply for VISA</li> </ul>
10. Department of Labour	Work related services	<ul style="list-style-type: none"> <li>• Apply for registration on an amalgamated bargaining council</li> <li>• Provide information on how to pay the Compensation Fund</li> <li>• Report an occupational accident to the Compensation Fund</li> <li>• Apply for the essential services committee for a determination that the whole, or part of the employer's business, is a maintenance service</li> <li>• Apply for registration as a bargaining council</li> <li>• Apply for certificate of accreditation of private agency rendering dispute resolution</li> <li>• Notify the Nedlac a trade union or a trade union federation is considering protest action services</li> <li>• Refer a dispute to the CCMA for conciliation or conciliation-arbitration (con-arb)</li> </ul>

		<ul style="list-style-type: none"> <li>• Apply for registration of an employee's and employer's trade union with the Department of Labour</li> <li>• Request the CCMA to secure agreement on picketing rules during a strike or lockout</li> <li>• Request the essential services committee to conduct an investigation to determine if the whole or part of any service is an essential service</li> <li>• Submit earnings statements to the Compensation Fund</li> <li>• Apply to set up a learnership as a training provider</li> <li>• Apply to join a learnership if you are unemployed</li> <li>• Apply to set up a learnership if you are an employer</li> <li>• Apply for adoption benefits</li> <li>• Apply to register an occupational disease</li> </ul>
11. Department of Justice	e-Justice	<ul style="list-style-type: none"> <li>• Consult family advocate</li> <li>• Marry under customary law</li> <li>• Provide equality/discrimination services</li> <li>• Report estate of the deceased</li> <li>• Change the amount of maintenance</li> <li>• Register trusts</li> <li>• Apply for rehabilitation by insolvents</li> <li>• Protect children accused of crime/in trouble with the law</li> <li>• Apply for a maintenance order</li> <li>• Apply for a domestic violence protection order</li> <li>• Request a further warrant of arrest of a domestic violence respondent</li> <li>• Notify for the rescission of the order of adoption</li> <li>• Recover debt</li> <li>• Apply for the adoption a child</li> <li>• Make an affidavit regarding contravention of a protection order</li> </ul>

		<ul style="list-style-type: none"> <li>• Obtain legal advice</li> <li>• Apply for an adoption of a foster child</li> <li>• Apply for variation or setting aside of a protection order</li> <li>• Consent/withdrawal of consent by a parent or guardian of a child for adoption</li> <li>• Pay maintenance</li> </ul>
12. Department of Agriculture, Forestry & Fisheries	e-Agriculture	<ul style="list-style-type: none"> <li>• Report on statistics on fresh produce markets</li> <li>• Report on monthly food security bulletin</li> <li>• Report on crops and markets</li> <li>• Issue import permits for plants, plant products and other regulated articles</li> <li>• Import permits for plant propagation material and crops grown in the Western Cape</li> <li>• "Report on Pest information package (PIP)</li> <li>• "Register phytosanitary and approve production units, pack houses and inspection points for export for fresh fruit</li> <li>• "Provide pest incursion responses</li> <li>• "Provide quarantine pest incursion responses</li> <li>• Report on plant health information material</li> <li>• Report on plant health diagnostic services</li> <li>• Provide plant quarantine</li> <li>• Inspect official ports of entry</li> <li>• Import/export of genetically modified organisms (GMOs)</li> <li>• Provide use of genetically modified organisms (contained use, trial release, commodity clearance, general release)</li> <li>• Register facilities</li> <li>• Provide GMO status certificates</li> <li>• Export certificates for liquor products</li> <li>• Export exemption certificates</li> <li>• Import certificates for liquor products</li> <li>• Register agricultural production inputs (fertilizers, farm feeds, agricultural remedies, stock remedies, pest control operators and sterilizing plants)</li> <li>• Issue import permits (animals and animal products)</li> </ul>

		<ul style="list-style-type: none"> <li>• Facilitate exports of animals and animal products</li> <li>• Coordinate the prevention and control of animal diseases (such as foot-and-mouth disease, avian influenza, etc.)</li> <li>• Approve import and export facilities</li> <li>• Register animal identification marks</li> <li>• Provide veterinary services information distribution</li> <li>• Provide natural disaster early warning system—early warning monthly NAC advisories on disaster prevention, preparedness and reduction</li> <li>• Provide natural disaster early warning—severe weather warnings</li> <li>• Provide information and advisory services</li> <li>• Provide production guidelines</li> <li>• Provide seed testing services</li> <li>• Provide training programmes on production and related matters</li> <li>• Provide training programmes on seed testing</li> <li>• Provide training programmes on seed testing</li> <li>• Provide certification of schemes</li> <li>• Register premises (nurseries, seed cleaners, packers, sellers and test laboratories)</li> <li>• Issue export certificates for seeds</li> <li>• Issue plant export certificate</li> <li>• Issue authorizations for the import of unlisted varieties of plants and propagating material</li> <li>• Provide variety listing</li> <li>• Provide animal and aquaculture production advisory services</li> <li>• Authorize import and export of animals and related genetic materials</li> </ul>
13. Department of Human Settlements	Housing related applications	<ul style="list-style-type: none"> <li>• Apply for people's housing process</li> <li>• Apply for Individual housing subsidy</li> <li>• Apply for relocation assistance</li> <li>• Apply for project linked subsidies.</li> <li>• Apply for hostel redevelopment programme</li> <li>• Apply for rural subsidy</li> <li>• Apply for consolidation subsidy</li> <li>• Apply for discount benefit scheme</li> </ul>

		<ul style="list-style-type: none"><li>• Apply for institutional subsidy</li><li>• Apply for public sector hostel redevelopment funding</li></ul>
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## DEPARTMENT OF TELECOMMUNICATIONS AND POSTAL SERVICES

NO. 342

07 APRIL 2017

**ELECTRONIC COMMUNICATIONS AND TRANSACTIONS ACT, 2002 (ACT NO.25 OF 2002)****NATIONAL e-GOVERNMENT STRATEGY AND ROADMAP**

I, Siyabonga Cyprian Cwele, Minister of Telecommunications and Postal Services, hereby publish the proposed National e-Government Strategy and Roadmap in terms of Section 5(3) of the Electronic Communications and Transaction Act, 2002 (ACT NO.25 of 2002).

Interested persons are invited to provide written comments on the proposed Strategy and Roadmap, within 30 working days from the date of publication of this notice at any of the following addresses:

Post: For Attention:

Ms Jeanette Morwane  
Chief Director: ICT Innovations Programme  
Information Society Development and Research Branch  
Private Bag X860,  
Pretoria, 0001

Or Deliver to:

Block A, iParioli Office Park,  
1166 Park Street, Hatfield, Pretoria

Email: [dmonyepao@dtps.gov.za](mailto:dmonyepao@dtps.gov.za) or [tmasinge@dtps.gov.za](mailto:tmasinge@dtps.gov.za)

Please note that comments received after the closing date may be disregarded. Please contact Mr David Monyepao at (012) 421 7003 for any enquiries.



**Dr Siyabonga Cyprian Cwele, MP**  
**Minister of Telecommunications and Postal Services**

Date: 35/3/2017



# National E-Government Strategy and Roadmap



Digitizing Government Services

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## 1. INTRODUCTION

### 1.1. Purpose

The purpose of this strategy is to guide the digital transformation of public service in South Africa into an inclusive digital society where all citizens can benefit from the opportunities offered by digital technologies to improve their quality of life. The development of this strategy took place by means of a desktop research by the Department of Telecommunications and Postal Services (DTPS) and seeks to make partnership with all government departments of the Republic of South Africa. All project partners have a common interest to promote access of government information and services at all spheres of government to citizens.

This document defines a renewed approach and programme of action that will radically improve the electronic government (e-Government) situation in South Africa. The Honourable Minister, Dr Siyabonga Cwele, in the 2014/15 budget vote speech stated that more focused attention will be given to infrastructure roll-out, the creation and acceleration of the expansion of e-Government services, as well as to develop e-Government platforms, for use by departments to deliver services online to citizens. In this regard, the department will coordinate work with other frontline government departments that provide services to the public. Through SITA, over the next three years, a significant number of government services will be available online.

Such a new approach and programme of action will require the department to unlock any challenges relating to policy, institutional arrangements and solicit buy-in from respective public sector stakeholders, and Information and Communications Technologies (ICT) industry participation to provide the requisite skills, technology and related investments to implement and support the e-Government technical solutions.

The new approach and programme of action is not intended to replace or supersede the prevailing e-Government policy and framework. It is the intention of the department to support State Information Technology Agency (SITA) – as the Agency of ICT for government to create an enabling ICT environment for government departments to provide electronic services (e-Services) to the citizens of South Africa.

The initiative invites comments from various departments for further debate in the discussion and presents recommendations that will lead to improved government services through the use of ICTs, performance and practice within and across the three spheres of government (and other related stakeholders).

### 1.2. South African e-Government context

'E-Government' or 'digital government' is the innovative use of communications technologies (including mobile devices), websites, applications and other ICT services and platforms to link citizens and the public sector and facilitate collaborative and efficient governance. E-Government includes:

- **Government to Government programmes (G2G)** – is concerned with interaction between different levels of government and collaboration with government agencies;
- **Government to Citizen programmes (G2C)** – involves an interaction between government and its citizens;
- **Government to Employee programmes (C2G)** – this involves the relationship between government and its employees. This form is considered as an effective way of bringing employees together and promoting knowledge sharing among them; and
- **Government to Business programmes (G2B)** – this is concerned with supporting business activities.

e-Government in South Africa include the use of ICT to automate internal processes of government (G2G systems) as well as external processes of Government (G2C and G2B). G2G systems are used across all departments or used for a specific government sector, such as Basic Accounting System (BAS), Logistic Management Information System (LOGIS), National Population Register (NPR), Social Pension Fund (SOCPEN), Police Crime Administration System (CAS) and electronic National Transport Information System (e-Natis). G2C ICT systems however are used to facilitate interaction and collaboration between government and citizens of the country, such as government websites, Batho Pele Gateway, SARS e-Filing, DoL U-Filing and DHA "Trace and Trace".

E-Government service is about transforming government to be more citizen-centred. Technology is therefore a tool in this effort. E-Government services success requires changing how government works, how it deals with information, how officials view their jobs and interact with the public.

Achieving e-Government services also requires active partnerships between government departments, citizens and the private sector. The e-Government process needs continuous input and feedback from the "customers"— the public, businesses and officials who use e-Government services. Their voices and ideas are essential to making e-Government services work.

During the early years of introducing ICT systems in the working environment especially to government, initial attempts towards e-Government were made with a focus on networking government departments and developing in-house government applications in the areas of defence, economic monitoring, planning and the deployment of ICT to manage data-intensive functions. These applications focused on automation of internal government functions rather than on improving service delivery to citizens.

### 1.3. Situational Analysis

The history of e-Government in South Africa dates back to 1995 when the White Paper on the transformation of public service was released. This White Paper proposed the creation of a number of new and additional structures, including the Presidential Review Commission (PRC).<sup>1</sup> In 1997 a White Paper on transforming public service delivery was released labelled as the Batho Pele White Paper. The purpose of this White Paper was to provide a policy framework and a practical implementation strategy for the transformation of public service delivery.<sup>2</sup>

The DPSA was instrumental in the development of the eight Batho Pele (put the people first) guiding principles which should be taken into consideration in the implementation of e-Government in South Africa. These principles aim to enhance the quality and accessibility of government services by improving efficiency and accountability to the recipients of public goods and services.

In 1998, the Presidential Review Commission (PRC) released a report which detailed the PRC's main findings and recommendations in relation to the operation, transformation and development of the South African Public Service.<sup>3</sup> Chapter 6 addressed the problems that were associated with Information Management, Information Systems and Information Technology in the public service. As a consequence of the recommendations of the PRC, the DPSA was granted the administrative responsibility for ICT in government. The formal ICT governance framework of Office of the Government Chief Information Officer (OGCIO), SITA and Government Information Technology Officer's Council (GITOC) was established to proactively bring value to government in terms of ICT use for internal administrative applications and general government service provisioning to citizens and business entities in society.<sup>4</sup>

The Thusong Service Centre programme of government was initiated in 1999 to extend services of government to outlying areas where people live. The primary focus has been rural and underserved communities with the aim of providing citizens with access to government services and information. These centres are also used to introduce ICTs to the underserved communities and to promote literacy and access to technology.

In accordance with its mandate, the DPSA produced an e-Government policy document in 2001 entitled 'Electronic Government: The Digital Future

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<sup>1</sup> Presidential Review Commission, Presidential Review Commission Report, February 1998.

<sup>2</sup> Republic of South Africa, White Paper on Transforming Public Service Delivery (Batho Pele White Paper), October 1997

<sup>3</sup> Presidential Review Commission, Presidential Review Commission Report, February 1998.

<sup>4</sup> Department of Public Service and Administration, South African E-Government Conceptual Framework, February 2006

– A Public Service IT Policy Framework'. The development of this document centred on the ICT house of values which define the benefits that are to be achieved by the application of ICT to government.

In 2001, as required by the Public Service Regulations of 2001, The DPSA released the first version of Minimum Interoperability Standards (MIOS). MIOS specifies the technical standards and policies required for the achievement of interoperability of ICT systems across the public sector. Interoperable systems working in a seamless and coherent way are critical for the establishment of a connected government and the delivery of electronic services.<sup>5</sup>

In August 2002, the Electronic Communications and Transactions (ECT) Act came into law. According to the ECT Act, the purpose of the act is: "To provide for the facilitation and regulation of electronic communications and transactions; to provide for the development of a national e-strategy for the Republic; to promote universal access to electronic communications and transactions and the use of electronic transactions by SMMEs; to provide for human resource development in electronic transactions; to prevent abuse of information systems; to encourage the use of e-Government services; and to provide for matters connected therewith."<sup>6</sup>

In 2002, the DPSA released an e-Government Gateway Concept Paper which defined the problems to be solved through e-Government and explains the objectives and implementation phases of the Gateway Project. The implementation phases comprised of the following four phases: Phase I: Access to Information about Government and Services; Phase II: Implementation of Web-Enabled Two-Way Transactions and Phase III: Multi-purpose and personalised services.

In 2004, government took a big step towards the implementation of Phase I of the Gateway project by establishing the Batho Pele Gateway which is a publicly accessible, central government services information portal.<sup>7</sup>

The Cabinet approved the National Integrated ICT Policy White paper in the beginning of October 2016 and it advocates for the development of the national e-government framework to transform South Africa into inclusive digital society where all citizens across all spheres of government can benefit from the opportunities offered by ICTs to improve their quality of life. The strategic focusing of government efforts through the National Development Plan 2030 (NDP 2030) is paramount in dealing with e-Government and the fact that the existing e-Government Policy and Strategies have played a lip-service over time which lead to outdated approaches as well as the fact that

<sup>5</sup> Department of Public Service and Administration, Minimum Interoperability Standards, November 2011

<sup>6</sup> Republic of South Africa, Electronic Communications and Transactions Act, August 2002

<sup>7</sup> Department of Public Service and Administration, South African E-Government Conceptual Framework, February 2006



South Africa has not moved forward in achieving the strategic objectives as set in 2001 e-Government policy<sup>8</sup>. This has prompted the DTPS to develop a coherent National e-Government Strategy and Roadmap which will provide direction for the implementation of e-Government. The adoption of this e-Government Strategy and Roadmap is essential for the transformation and modernisation of public service delivery.

As noted in the National ICT Policy Review report (2015) there are currently a number of different e-policies and strategies in place, and different instruments assign responsibility for an e-Strategy to different parts of government such as the DPSA (2001 National e-Government policy), DTPS (National e-Strategy as per the ECT Act<sup>9</sup>) or Information Society Development (ISAD) plan (2007). The NDP calls for the finalisation of a National e-Strategy that cuts across government departments and sectors of society. It is in this context that the department should lead in driving the development of such National e-Strategy in line with ICT Review recommendations.

There have been islands of e-Government initiatives in the country at the national, provincial and district level. Some of them have been highly successful and are suitable for replication. Some provinces including Gauteng and the Western Cape have advanced to a state where they have developed Provincial e-Government Strategies and established independent e-Government departments. Most government departments have embraced the use of ICTs for e-Government to promote service delivery and to make the government more efficient and effective significantly to improve administrative civil services. Although most websites of government are at the developmental stage but there are few of those that have made strides to provide online services. Some of the successful case studies of e-government services which the implementation of this Strategy will build on include the following:

- SARS e-filing is one of the sophisticated systems globally for tax management with good results on tax collection;
- Department of Home Affairs launched the Smart Identification Card System for citizens which is widely rolled out and the banking sector is assisting. The Smart ID cards have better security features;
- Integrated National Transport Information System (NATIS): Car and License Registration is functioning though it requires improvement to afford registration and renewal of services anywhere and everywhere in the country not only where users reside;
- The Department of Health approved the the National Health Normative Standards Framework (HNSF) for Interoperability in eHealth. The framework represents the first step towards a complete health enterprise architecture specification for South Africa. When fully developed, this enterprise architecture will define how eHealth

<sup>8</sup> Department of Public Service and Administration, South African e-Government Policy

<sup>9</sup> Electronic Communications and Transactions Act, 2002 (Act no. 25 of 2002)

solutions, across all levels of healthcare in both the public and private health systems, will interoperate with each other to support person-centric continuity of healthcare and successful implementation of the National Health Insurance (NHI) initiative;

- SITA has a track record of developing Government-to-Government (G2G) and Government-to-Citizens (G2C) systems. G2G systems include Basic Accounting System (BAS), Logistic Management Information System (LOGIS), National Population Register (NPR), Social Pension Fund (SOCPEN), Police Crime Administration System (CAS) and electronic National Transport Information System (e-Natis). G2G systems developed include Government Websites, Batho Pele Gateway, SARS e-Filing, Department of Labour (DoL) U-Filing and Department of Health (DHA) "Trace and Trace".
- Mobile penetration has reached 100% in South Africa and there has been advancement in development of mobile innovations. Some of the mobile applications supporting e-government services include the Find & Fix mobile application launched by the Johannesburg Road Agency (JRA), an agency of the City of Johannesburg. The mobile app enables the public to report potholes, faulty traffic signals, storm water drains, manhole covers, and other infrastructure issues related to JRA. Similarly the City of Tshwane launched a mobile app city safety – Namola app. Namola uses GPS coordinates to map locations where security alerts are sent in partnership with Tshwane Metro Police Control Room. Security alerts by citizens are immediately sent to the control room and police officers are dispatched to the location for assistance.

A need was therefore felt for taking a holistic view of the several e-Government initiatives implemented across the country. It was increasingly perceived that if e-Government was to be speeded up across the various arms and levels of Government, a programme approach would need to be adopted, which must be guided by a common vision, strategy and approach. This would have the added advantage of enabling huge savings in costs, in terms of sharing the core and support infrastructure, enable interoperability through standards etc., which would result in the citizen having a seamless view of Government. It was with this background, that the National e-Government Plan was formulated for implementation across the country.

The need for greater coordination of strategies and implementation of digital policies across government requires that a central structure be established to drive a whole of government approach and develop a national e-Government policy and strategy. This will assist in aligning various initiatives across government and in ensuring accountability. The Department is well positioned to drive the required coordination.



### **International Benchmarking**

The world is going through rapid transformation owing to the fast pace of change in technological development and adoption. Government therefore have to pursue e-Government as a crucial means to make its government more competitive, by leveraging the world's best information and communications technology (ICT) to deliver services to its citizens. The United Nations (UN) developed a four stage maturity model of e-Government and the model was used for ranking the UN member states.

The four stages of the model are defined as follows:

- The 1st stage is **"emerging information" services**: In this stage, e-Government Web sites provide static information.
- The 2nd stage is **"enhanced information services"**: In this stage, the presence is enhanced with one way or simple two way communication.
- The 3rd stage **"transactional services"**: In this stage, a two way interaction with citizens is possible.
- The 4th stage is "connected services": In this stage, Web sites are proactive in requesting citizens' feedback via Web 2.0 tools. Government agencies are citizen centric and services are customer centric.

The 9<sup>th</sup> and 2016 Edition of the United Nations e-Government Survey entitled "e-Government for Sustainable Development and produced by UN Department of Economic and Social Affairs was released on August 1, 2016. Like the past survey Reports, the 2016 edition provides a global assessment of the e-government development status of the 193 UN Member States. The report series is designed to serve as a tool for public administrations to learn from one another and identify areas of strength and challenges in their digital government policies, strategies and initiatives. The Survey tracks the progress of e-Government development via the e-Government Development Index (EGDI) which assesses e-Government development at the national level through the available Telecommunications Infrastructure, Human Capital and the national online presence of all 193 United Nations Member States. The Report specifically shows that the United Kingdom, followed by Australia and Republic of Korea lead in the global e-Government rankings.

Key to the success of e-Government internationally, is the establishment of a separate e-Government programme or office that is focused on the development and implementation thereof. These e-Government programs/offices, are managed usually by a "Ministry of Information Technology" or a "Ministry of Finance" or jointly, who are actively involved in the program.

A popular trend which has proved to be successful is the development of a central portal (electronic front office) that provides integrated public

information and services.<sup>10</sup> This provides the users with easy access to all government information and services and allows for *back-office integration* across the various government departments, encouraging inter-departmental collaboration.

In addition, most countries have recognised that **mobile devices** are the most widespread personal technologies. To benefit from this, most countries are beginning to provide citizens with the opportunity to receive personalised SMS alerts and notifications for various services, and has developed separate **m-Government** sites and mobile applications.<sup>11</sup>

A benchmarking exercise of South African e-Government activities against the UN e-Government Maturity Model resulted in an e-Government maturity classification of Level 2 (enhanced presence). The vision of digital transformation of government in South Africa is to ultimately achieve Level 4 of e-Government maturity. This will require that our e-government services, websites, processes and capabilities have to be harmonized and transformed to global standards. Provision of electronic services and solutions that are tailor-made for citizens' needs and an environment that enables citizen participation in government decision-making process are also key towards achieving this vision.

## 2. LEGISLATIVE MANDATE

Currently there are a number of role players in the South African Government that have a legislative mandate, whether directly or indirectly, to either manage, enable, develop, or implement e-Government. Please note that the following legislations are only extracts and interpretations from the legislation. For more details, please refer to the latest Acts.

The Electronic Communication and Transaction (ECT) Act of 2002 aims to provide for the facilitation and regulation of e-Government services and electronic communications and transactions with public and private bodies, institutions and citizens.<sup>12</sup> In addition, the ECT Act of 2002, including all its amendments, empowers the Minister of Telecommunications and Postal Services (MTPS) to develop the National e-Strategy. In the development of the National e-Strategy, all matters involving e-Government services shall be determined in consultation with the Minister of Public Service and Administration. Therefore the MTPS will need to take into consideration the requirements of the e-Strategy in the development of the National e-Strategy and will be required to seek advice from the MPSA on matters involving e-Government.

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<sup>10</sup> Department of Economic and Social Affairs, United Nations E-Government Survey 2012

<sup>11</sup> Department of Economic and Social Affairs, United Nations E-Government Survey 2012

The Public Service Act of 1994, including all its amendments, empowers the Minister of Public Services and Administration (MPSA) to develop and establish norms and standards related to, amongst other, information management and electronic government in the public service. The mandate of the Minister of Public Service and Administration therefore empowers the DPSA to provide direction on e-Government for the public service. Furthermore, the DPSA is mandated to foster good governance and sound administration in the public service<sup>13</sup>. This includes transforming and modernizing the public service through the development and implementation of policies and frameworks.

The Public Service Regulations of 2001, including all its amendments, sets out regulations for e-Government in Chapter 5. This section addresses 3 areas of e-Government. The first area is fundamental to electronic government which requires all departments to manage Information Technology (IT) effectively and efficiently, taking into consideration that IT must improve the delivery of public services, the productivity of the department and the cost-efficiency of the department.<sup>14</sup> The second area relates to information security whereby the MPSA is required to issue a handbook called the Minimum Information Security Standards (MISS). All persons working with public service information resources will be required to comply with the MISS. The final area deals with interoperability whereby the MPSA in consultation with the Government. Government Information Technology Officer Council (GITOC) is required to issue handbook on Minimum Interoperability Standards (MIOS). All departments are required to comply with MIOS as this is essential for seamless and integrated service delivery.

The State Information Technology Agency Act, 1998 (Act No. 88 of 1998) as amended in 2002 provides for the establishment of a company referred to as the State IT Agency (SITA). SITA is mandated to provide information technology, information systems and related services to, or on behalf of, participating departments and in regard to these services, act as an agent of the South African Government with the Minister of Telecommunications and Postal services as the sole Shareholder representing the Government.

Furthermore, the Section 7(6) of the SITA Act requires the Agency to set standards for the interoperability of information systems and standards for a comprehensive information systems security environment for departments. SITA is also required to certify every acquisition of any information technology goods or services by a department for compliance with the above mentioned standards. Therefore SITA plays a pivotal role in supporting the execution of the e-Government Strategy. This includes, inter alia, providing guidance to government on how to create and establish secure online e-Services, integrating government systems to allow for sharing of information

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<sup>13</sup> <http://www.dpsa.gov.za/about.php?id=16>

<sup>14</sup> Republic of South Africa, Public Service Regulations, January 2001

and performing the necessary research to help achieve the objectives as set out in this strategy. SITA has in accordance with its mandate supported the DPSA in the development of the MISS and the MIOS which specifies the policies and technical standards required for interoperability and security of information systems.

On the 6th of September 2012, Cabinet welcomed the NDP as prepared by the National Planning Commission (NPC) and acknowledged the plan as the strategic framework to form the basis of future government planning.<sup>15</sup> The NPC formulated the NDP with the aim of developing a long-term national strategic plan for the country. The vision for 2030 is to eliminate poverty and reduce inequality.<sup>16</sup> Although the NDP 2030 does not mention e-Government as a key enabler to the implementation thereof, it is important that the key elements of the NDP 2030 are taken into consideration in the development of the e-Government strategy to ensure that the long-term objectives of the e-Government strategy are aligned to those of the country.

However, the NDP 2030, does regard the vision for Information and Communication Infrastructure, inter alia, the formation of a seamless information infrastructure that will meet the needs of citizens, business and the public sector, providing access to the wide range of services required for effective economic and social participation.<sup>17</sup> This vision also includes the use of multicasting and instant online translation, digitisation and ICT applications which will make it easier for people to communicate and obtain information using different languages. It also promotes the development of mobile government (m-Government) services.<sup>18</sup>

There are other relevant legislations that impact on e-Government services such as The Protection of Personal Information (POPI) Act of 2013 in South Africa which aims at promoting the protection of personal information processed by public and private bodies and to introduce information protection principles so as to establish minimum requirements for the processing of personal information.<sup>19</sup>

The Protection of State Information Act regulates the manner in which States information should be protected; promote transparency and accountability in governance while recognising that State information may be protected from disclosure in order to safeguard the national interest of the Republic. It also provides for the protection of certain information from destruction, loss or unlawful disclosure; to regulate the manner in which information may be protected and to provide for matters connected therewith.<sup>20</sup>

<sup>15</sup> <http://www.npconline.co.za/pebble.asp?t=1>

<sup>16</sup> National Planning Commission, National Development Plan Vision for 2030, November 2011

<sup>17</sup> National Planning Commission, National Development Plan Vision for 2030, November 2011

<sup>18</sup> National Planning Commission, National Development Plan Vision for 2030, November 2011

<sup>19</sup> Republic of South Africa, Protection of Personal Information Act, November 2013

<sup>20</sup> Department of Public Service and Administration, South African E-Government Policy, February 2006

With the implementation of e-Government sharing of information with the public and across government departments has never been easier. However, it is imperative that all public departments are aware of the requirements of the above mentioned legislations and ensure that appropriate measures are put in place to ensure that unauthorised persons do not obtain access to personal information of a data subject, that it remains confidential and that where State information is required to be protected from disclosure, that such information remains undisclosed.

### 3. PROBLEM STATEMENT

e-Government provides an opportunity to use ICTs for promoting greater accountability of the government, increase efficiency and cost-effectiveness and create a greater constituency participation. The e-Government approach will also strive to contribute to wider economic objectives such as achieving cost savings, fostering innovation in technologies and applications for e-Government and promoting growth by fostering a business-friendly environment.

The South African government is faced with several challenges of improving service delivery and the quality of services to citizens. With the opportunities offered by Information Communication Technologies (ICTs), government attempted to improve service delivery through e-Government. However, not much progress was made in the e-Government arena over the past few years.

The approved National Integrated ICT Policy White Paper by cabinet in October 2016 and The Information Society and Development (ISAD) Plan of 2007 identified several challenges that affected negatively on the progress of e-Government in South Africa. Some of the challenges are:

- Lack of synchronisation in approaches to digital transformation adopted by different government departments
- Duplication of processes, databases, large-scale system incompatibilities and inefficiencies as major e-Government hindrances.<sup>21</sup>
- Fragmentation of e-Government initiatives within government has been identified as one of major challenges. e-Government programme has not been directed and managed in a collaborative manner which lead to lack of accountability and responsibility due to the overlapping roles between government departments.
- There is no dedicated budget allocation for the specific implementation of e- Government in South Africa. A number of initiatives are still run under separate budgets.
- Currently there are still a number of government departments who make use of diverse applications, platforms, software and databases. Most of existing ICT systems were not designed to share information

<sup>21</sup> Information Society development plan, 2007

across departments. Cross departmental information sharing is essential to the success of e-Government, thus there is a need for government to standardise the interchange requirements for the delivery and management of data.

- A major reason for the limited progress of e-Government in South Africa is that the e-Government programme has not been directed and managed in a collaborative effort. The roles of the OGCIO, SITA and GITO's are not clearly defined or understood. There is no specific entity that ensures role of leading and managing the e-Government implementation in the country.
- The South African government is facing a challenge of government service delivery and reducing the administrative burden due to growth and mushrooming of population, technological advantages such as the mobile penetration rate can contribute to eliminating these challenges.

In terms of the SITA Act (section 6), SITA is responsible to improve service delivery to the public through the provision of IT, information systems and related services in a maintained information systems security environment to departments and public bodies; and to promote the efficiency of departments and public bodies through the use of IT. Since 2001, SITA has been involved in the implementation of e-Government in South Africa however it has been experiencing challenges due to decentralized funding for e-Government activities and lack of legislation to enable digitization of e-Government services. There is therefore a need to define a new role for SITA as a Digital Transformation Entity in the implementation of this National e-Government Strategy and Roadmap.

#### **4. VISION**

The vision for this strategy is to digitise government services while transforming South Africa into an inclusive digital society where all citizens can benefit from the opportunities offered by digital and mobile technologies to improve their quality of life. The strategy aims to optimise service delivery that provides universal access to government information and services anytime and anywhere.

#### **5. STRATEGIC OBJECTIVES**

The e-Government framework aims to:

- Ensure that all South Africans can access quality public service and government information from anywhere any time;
- Reduce the cost of public administration in South Africa;
- Harmonise the policy environment and legislative framework to enable digital transformation;



- Establish institutional mechanisms that will advance the coordination and facilitation of e-Government services;
- Create and manage reliable, accessible and cost effective common central services centres;
- Manage the development of frameworks addressing skills development;
- Deliver integrated electronic services which will ensure one stop service portal;
- Develop capacity and skills programme that will ensure sufficient service delivery;
- Develop monitoring and evaluation frameworks for e-Government services;
- Make government more accountable by making its operations more transparent, thus reducing the opportunities of corruption;
- Transform the way government interacts with citizens;
- Provide socio-economic development opportunities by empowering rural and traditional underserved communities using ICTs;
- Leverage on advances brought upon by technological innovations (such as cloud computing, internet of things (IoT), big data, mobile innovations, etc.) to drive the success of digitizing government;
- Expand the technological capabilities of citizens and businesses for participation in the government decision making process; and
- Provide administration in accordance with internationally acceptable standards and best practices.

## 6. GUIDING PRINCIPLES FOR e-GOVERNMENT SERVICES

The following five primary principles for implementing e-Government focus areas or pillars in the ICT House of Values are the required prerequisite for successful implementation of e-Government initiatives:

### 6.1. Interoperability

Government ICT systems (including networks, platforms, applications and data) must have the capacity to 'talk' to each other, allowing for architected sharing and exchange of electronic messages and documents, collaborative applications, distributed data processing and report generation, seamless transaction services, 'whole-of government' search and queries, integrated ICT systems management etc.

Of note is that Government has the ability to correct the situation, as well as manage the related aspects of the development of ICT infrastructure, because government consumes more than half of South Africa's ICT goods and services. The real nirvana of interoperability is to have machine-to-machine communication, in essence, removing manual intervention in as many steps as possible. Once this aspect is controlled, citizens will start to experience seamless government service.

It should be possible to achieve this objective, while maintaining a varied mix of ICT products and solutions. There is no need to unnecessarily uproot users from good ICT products and solutions and to upset a productive workforce by an inconsequential new product. Each user should continue working in a familiar environment, except where there is a good reason not to, but the ICT systems in the 'back office' potentially must be capable to provide communications with any other government system.

Government tender procedures must seek to enforce the policy of interoperability of systems. Therefore, the Minimum Interoperability Standards (MIOS) policy must insist that all ICT goods or services must be compatible with existing and planned government systems.

Competition ensures that government service delivery is not singularly dependent on any ICT vendor in the event of collapse. Government should continue to address the issue of designing and implementing a coherent hierarchy of architectures, encompassing the major domains of business, applications and technology.

Just as architecture is essential to building a house, ICT architectures play an important role in defining the underlying infrastructure needed for disparate networks, platforms, applications and data repositories to work together. Thus, ICT architectures present the blueprints for achieving interoperability.

## **6.2. ICT security**

Government operates in an environment where electronic documents, data and ICT systems must be protected from unauthorised access, malicious code and denial-of-service attacks. Interoperability should be achieved without compromising vital ICT security concerns. Government must not readily accept naive ICT vendor-driven solutions to solve the enormous problem of interoperability. Poor standardisation or inappropriate rationalisation breeds serious security problems.

E-government is premised, among others, on the availability of the Internet, and if web sites are compromised, then government data can be read or modified by attackers.

It is always better not to employ an ICT service for live production or to serve clients if competent ICT security has not been catered for. It is important to note that ICT security is not limited to authentication and encryption only. ICT security is related to: (a) avoidance, (b) deterrence, (c) prevention, (d) detection, (e) recovery, and (f) correction in all aspects of security. Security must be provided to ICT at all levels (i.e. physical, people, infrastructure, application or information).

## **6.3. Economies-of-scale**



Government must leverage its ICT buying muscle to encourage compliance with other key ICT focus areas. Unless well managed, the government's economic muscle may be fragmented, which could lead to unnecessary exploitation by some ICT vendors. As a developmental state such an economic muscle may be used to influence the development of local ICT industry that is not only limited to selling products made elsewhere. Development of local ICT skills that are crucial to e-Government initiatives should be encouraged through the government's ICT economic might. Also, ICT research can be steered towards answering service delivery imperatives through the government's ICT economic power.

The precise impact on employment is difficult to anticipate. If change is well managed and if people are responsible in managing their affairs then change can prove stimulating and provide new opportunities for employment and economic growth. It is intended that change management should enjoy high priority in the planning of any e-Government solution. Public servants and citizens must jointly reap meaningful benefits from any well-managed e-Government programme.

It is important to have dedicated funding for e-government implementation by the different government departments, managed through National Treasury processes.

#### **6.4. Eliminate duplication**

Government must abolish unnecessary duplication of similar ICT functions, projects and resources (including collection, processing and archiving of the same data), as well as practices of 're-inventing the wheel'.

The ICT Values attempt to illustrate the relationship between the ICT value and the key focus areas. It should be noted, that it is not possible to obtain ICT value without addressing the primary IT focus areas, while at the same time, developments in the key ICT focus areas do not necessarily lead to ICT value. However, these government ICT focus areas assume that some minimum resources are readily available to the entire government machinery.

#### **6.5. Digital inclusion**

At least 75% of South Africans do not have access to ICT infrastructure. Failure to provide access to the previously disadvantaged communities will further impede any effort on electronic government initiatives.

In a fair and rational society, all individuals have equal opportunity to participate in, or benefit from, the use of ICT resources by virtue of their citizenship, regardless of race, gender, religion, age, disability, language, or any other such factors. Empirical research in all nations confirms the growing gap between the rich and the poor, as well as between the well-educated

and the poorly educated users of ICT. As researchers broaden their scope to examine developing nations, the digital divide is of increasing concern and is essential to a developmental state.

A useful ensuing conceptual structure is depicted below. It consists of the enduring values in the top of the figure with supporting pillars consisting of the main focal areas and as a foundation, the factors that sustain the overall ICT policy framework.

## 7. CHANNELS OF e-GOVERNMENT SERVICES

The term channel connotes the means through which services are delivered to the customers. A Channel Strategy represents a set of business-driven choices about how and through what means services will be delivered to customers. The central theme of the e-Government framework is to enhance public service delivery through the phased electronic enablement of services.

However, provisioning services through electronic means is only beneficial if it facilitates the customers to access services anytime and anywhere in a more convenient manner. Identifying channels of customer's preference is a critical success factor for effective e-Government, as the choice of delivery channels has a major impact on the following:

- Technology infrastructure required to support the channel such as hardware, software and networking.
- Standard procedures and guidelines required to operate the channel.
- Organisation structure required to manage and deliver the electronic services such as skills, roles and alliances.
- Convenience and satisfaction for the customers in availing public services.

The public shall be given equal opportunity to reap the benefits of using e-Government services. An adequate and sufficient mechanism must exist to ensure that e-services are accessible to the public anytime anywhere. To this end the e-Government central portal, along with its information and services, shall be made available to the public at any time through the following channels:

### **i. Internet**

Government services must be made available to the public through the e-Government central portal. In addition departments must adopt the standard website template that will be developed for all governments website to have the same look and feel. All government services shall be made available online through the internet 24/7 365 days a year.

### **ii. Mobile**

Government services must be made available to the public through the use of mobile technology. Considering that most South Africans have access to a phone capable of connecting to the internet it is imperative that the

required infrastructure is developed to ensure that the services that will be made available on the central portal are also available through:

- Mobi site;
- Mobile apps (m-Commerce); and
- Unstructured Supplementary Service Data (USSD).

**iii. Phone (Call Centre)**

An e-Government call centre should be established that will assist with the following:

- Technical support for departments providing service through the central portal;
- Technical support for citizens and business that make use of services provided through the portal;
- Information on all e-Government service;
- The ability for citizens and business to perform a transaction through the use of the call centre.
- In addition, e-Government services must be made available to the public through the use of interactive telecommunications including interactive voice prompts.

**iv. Digital TV**

Through the implementation of digital set-top boxes by the Department of Communications (DoC), collaboration with DoC will be necessary to ensure that government services are made available to the public on the set-top boxes. An assessment must be performed to understand what information and services can be hosted through the set-top boxes.

**v. Common Service Centres**

Currently, the odd 75 Thusong centres already established provide citizens in rural areas with access to government services. In achieving this strategy the services currently offered at the Thusong centres will increase dramatically. An adequate training mechanism must exist to ensure that staff at the Thusong centres are capable to deliver on all government services available at these centres.

Furthermore, additional service centres must be established in order to transform service delivery in the public sector. Government must consider leveraging off the existing foot print of the South African Post Office (SAPO) in bringing government service closer to the public.

In addition Government must adopt a customer ICT assistance approach. This means that the public will be provided with assistance from government via various channels (e.g. Thusong centres, call centres, online intermediaries, etc.). Appropriate training manuals and/or videos should be made available online to assist the public in executing an electronic transaction.

## **8. STRATEGIC APPROACH**

An efficient, effective and responsive government with better services is a strategic intent for e-Government in South Africa. The government envisions a connected and responsive one government, enabled by ICTs. In this intent, the government affirms that it embraces e-Government at all public sector levels. It will therefore promote, facilitate, and assist the achieving of this intent.

The government is set to address challenges related to e-Government implementation in the country. This framework states and suggests ways in which this intent will be achieved by:

- Establishing Institutional Framework and institutional mechanism to oversee the implementation of e-Government services programmes;
- Ensuring that there is establishment of a Legal and Regulatory Framework that supports the adoption and implementation of e-Government;
- Establishing a structure to facilitate efficient and effective citizen to government, government to government, government to business and government to employees interaction;
- Implementing a secure, robust, and interoperable e-Government Infrastructure;
- Leverage the use of ICT, within an effective e-Government environment, to meet vital socio-economic development goals;
- Seek active and direct participation of the private sector in the implementation of e-Government;
- Developing central e-Government services portal;
- Integrating e-Government services;
- Developing capacity and skills development programmes; and
- Establishing the e-Government call centres.

## **9. E-GOVERNMENT STRATEGIC OUTCOMES**

This Strategy aligned with the National Integrated ICT Policy White Paper which outlines the need for digital transformation of public service for digital society development.

The following three strategic outcomes of the National e-Government Strategy and Roadmap are derived from the National Integrated ICT Policy White Paper directives on digital transformation of public service and the five pillars in the ICT House of Values are the required prerequisite for successful implementation of e-Government initiatives. The e-Government strategic outcomes include;

### **9.1. E-Government Services Transformation**

ICTs to enable citizen participation and convenience require skills necessary for interacting with online services. Citizens now expect convenient and

instant service experience when interacting with government. This therefore calls for transformation of government-to-citizens solutions.

## 9.2. Enhanced e-Governance

Successful adoption of e-government services by citizens require government to integrate its e-government systems, while achieving the vision of offering stage 4 – connected presence as per the UN e-Government Maturity Model.

In order to achieve this outcome, focus will be given towards; integration of government systems, establishing core ICT infrastructure, improving governance of ICT, increasing skills capacity in government and digital literacy for citizens, and establishing institutional mechanisms for e-government implementation.

## 9.3. Digitally-enabled Society

The World Summit on the Information Society (WSIS) identifies a range of interrelated components necessary to realize its vision of an inclusive information society. These include ensuring access to infrastructure, that the content and services available on Internet and mobile platforms are relevant and that people have the skills and knowledge to utilize ICTs safely. Implementing successful e-Government initiatives require the need to ensure that the adoption of ICTs for government service delivery does not expand the existing digital divide. In order to enable citizens to take advantage of benefits of e-Government, the following issues are addressed; access to ICT infrastructure, digital literacy, connectivity costs and inclusion.

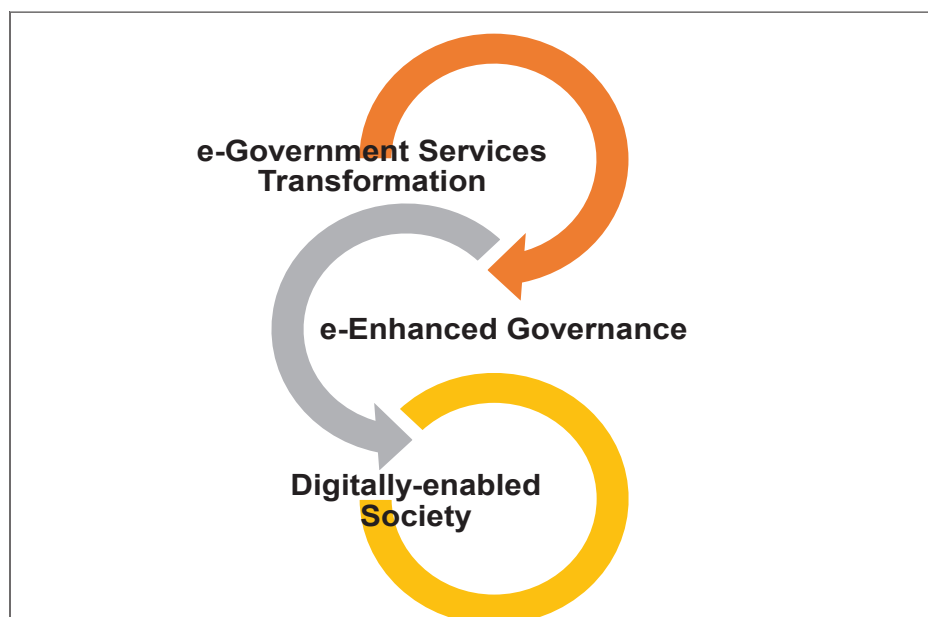


Diagram 1: National e-Government Model

The recommended strategic outcomes will be achieved through various projects that will address the strategic deliverables grouped in three main themes: enhanced e-governance, e-government services transformation and digitally-enabled society.

## **10. MAJOR INITIATIVES ON e-GOVERNMENT SERVICES**

All government services that can be delivered electronically shall be delivered electronically and access to those services shall be made available via the central e-Government portal. South Africa currently provides a lot of information on the Batho Pele Gateway about government and on the services government provides. However there are still a vast number of government services which are not delivered electronically.

Therefore 150 government services can be considered for electronic enablement in a phased approach (This list is not static and could change before and during implementation of the strategic initiatives). In addition, these services have been clustered by departments as services will be phased into the portal, department by department. This is required to assist the departments in automating their business process to ensure back-end integration.

Key actions required for e-Government service initiatives that are required to be actioned are:

- a. Development of an e-Government central portal that will become the front-end of government. The central portal will provide a single view of a citizen. All government transactions will be performed through the portal. The portal will provide for information and transactional service. The portal is to be developed and managed by SITA. Therefore, the SITA Portal will become the front-end of all e-Government services offered to the citizens.
- b. The portal must adopt the following key principles/guidelines:
  - i. The e-Government central portal will be rebuilt to make it more user-friendly and incorporate a search engine which will allow users to easily find a service.
  - ii. The portal must be made available in each official language. This will drive take-up for e-Government and promote greater inclusivity.
  - iii. The portal must cater for all citizens including citizens with disabilities.

- iv. A standard template for the government websites will be developed to create standard look and feel for government online. All National and Provincial departments must ensure that all government department websites adopt the standard.
  - v. The portal must provide citizens with opportunity to give feedback on the functionality of the website as well as the quality of the service provided. This feedback could be through the system itself or through links with social media or electronic surveys where appropriate.
  - vi. The portal must provide the citizens with an opportunity to suggest potential new e- Services. This supports at least one of the Batho Pele principles, namely consultation. This principle provides the public with an opportunity to tell government what they want.
  - vii. The portal must exploit the benefits which social media can bring in raising awareness of public services and obtaining feedback from the public.
- c. Back end integration of e-Government services: For South Africa to achieve a single view of the citizen through the central portal discussed above, the integration of government is essential in truly achieving a single view of a citizen as currently information (data) about each citizen is dispersed throughout each government department. Therefore, SITA must develop the integration infrastructure that is required to connect each department back-end systems with the central portal (Front-Office).
- d. Additionally, SITA must develop a Government Master Data and Service Governance structure. Essentially this is the management of a large Data Warehouse that will centrally host all departments' information regarding a citizen or business in order to achieve a single view of a citizen and provide that personalised service offering to the public.
- e. In delivering electronic services (e-Services) one should not simply take the existing processes and services and put them online. SITA must work with the all government departments in redesigning the business processes and rethink how government services should be delivered online. This redesign process would take into consideration the possibilities of sharing and/or using information that is available across all the three spheres of government as well as the integration of like services into a single transaction.
- f. When the implementation of the proposed architecture is complete, the automation of process per department shall be performed in a



- phased approach. The services shall be clustered per department and brought online in the phased approach. This will allow for a Proof of Concept (POC) with one department where bugs can be ironed out before rolling on all departments. In addition, SITA must leverage off lessons learnt during the POC when rolling out online services for the rest of the departments.
- g. In order for South Africa to leapfrog into providing a truly personalised e-Government central portal where all users are able to transact online from one central portal as well as obtain information on all government services, it is imperative that SITA must work with all government departments to implement the e-Government Framework. The structures represented in the framework will provide for the integration of government departments, which is the key requirement in providing a personalised service offering online to all citizens and business.
- h. Additionally, in successfully implementing the proposed common cloud ICT Architecture, it will enable the implementation of Government-to-Government (G2G) service.
- i. Implementation of adequate security mechanism: The goal is to enable the use of a single sign-on using multi factor authentication mechanism to access all e-government services. Therefore, in achieving the strategic objective of effectively delivering integrated electronic service to the public, it is imperative that a single sign-on strategy is adopted for all government electronic services. This strategic initiative will achieve this by leveraging of and improving on the existing infrastructure in South Africa. Therefore, in order to achieve a single sign-on mechanism for all e-Government services, the following is required:
- i. A risk based approach must be adopted for all online services and transactions meaning that the authentication mechanism used by the public to access and transact needs to be determined by the risk of the transaction. Therefore for basic services, such as account information, a single factor authentication is sufficient. Should the customer thereafter be required to perform an online transaction, such as submitting tax returns online, the use of e-ID to securely authenticate the user and authorise the transaction should be used.
  - ii. SITA in collaboration with government departments will be required to develop the infrastructure required to obtain single-sign on for all e-Government services through the central portal. This will be achieved by leveraging of the existing infrastructure that DHA and the South African Post Office have developed.



- j. The use of e-ID technology for e-Government services will have to be adopted in compliance with the National E-Identity and PKI Strategy. The strategy will address, but not limited to, the following:
  - i. Authentication and securing of the identities of the parties to an e-transaction;
  - ii. Confidentiality, ensuring information is kept private;
  - iii. Integrity ensuring the information or process has not been modified or corrupted;
  - iv. Non-repudiation ensuring neither party can refute that the transaction occurred (i.e. the transaction is binding); and
  - v. The structure and regulatory framework for E-Identity and PKI.

## 11. ICT INFRASTRUCTURE FOR e-GOVERNMENT SERVICES

**Robust ICT infrastructure:** rapid advances in ICT infrastructure provide the means to get information to poor and marginalised communities in order to improve their quality of life. ICT plays a role in enabling the modernisation of government and its services. It allows both individuals and companies the opportunity to interact with government, using different forms of communication gadgets such as: Desktop computers, Laptops, Cell phones, Telephones, Self-service kiosks and ATMs. From this perspective, the quality of service delivery dictates the improvement of the ICT infrastructure.

The challenge facing public sector executives is how to make government service easier, quicker, cheaper, more efficient, and more responsive. The development of information communication technology is improving government services through information dissemination, interactive service delivery, and online interactions.

Some of the challenges facing the South African government are essentially historical. One of them is the digital divide that limits access to ICT services. Historically, the country's educational infrastructure has been segregated and unequal. ICT provision in schools still reflects this fact. South Africa needs ICT infrastructure – bandwidth, physical installations, hardware, and software that will serve all citizens well.

Research recognises that ICT infrastructure is one of the main challenges of e-Government. Internetworking is required to enable appropriate sharing of information and to open up new channels for communication and delivery of new services. For a transition to electronic government, architecture – that is, the guiding principles, models, and standards – is critical.

**Security:** As governments move towards the adoption of e-Government applications, security becomes a critical factor that influences its development at all stages. E-Government raises a potential problem concerning computer security. Security has received widespread attention

in the e-Commerce literature under the broad banner of information privacy. It is also noted that the security of information requires protective mechanisms to safeguard such information from unsanctioned or illegal intrusion.

One of the most significant challenges in implementing e-Government initiatives is computer security. For e-Government activities, service continuity is critical not only for the availability and delivery of services, but also to build citizen confidence and trust. However the risks of fraud and the misuse of sensitive data are concerns as well. The security/trust dimension is an important concern, although different levels of e-Government have differing needs in this area.

Portals that are at rudimentary stages are unlikely to give rise to security concerns in citizens. But as they mature, e-Government initiatives allow citizens to transact online, and require them to provide more information to online information systems, thus exposing them to hackers and viruses. The government needs to foster a sense of trust by limiting the sharing of personal identifiable information with entities to which citizens had not directly supplied that information.

From the preceding literature on ICT security, it is necessary that all spheres of government must design security features on their ICT systems when deciding to provide e-Government services. This creates the need for a clear and holistic approach to addressing and incorporating security at the various stages of the development models.

**Privacy:** It is very important part of e-Government services. The enhanced communication of the World Wide Web is embedded in social practice in such a way that citizens expect the communication protocol that guides everyday life to apply to cyberspace as well. If communication is dealt with appropriately, the adoption of e-Government could reduce resistance to using the World Wide Web.

Based on theories gathered about privacy, it is very much conclusive that portals at rudimentary stages are unlikely to give rise to privacy concerns in citizens. But as they mature, e-Government initiatives allow citizens to transact online, and require them to provide more information to online information systems, thus exposing them to various vulnerabilities. It is conclusive that governments need to foster a sense of trust by limiting the sharing of personal identifiable information with entities to which citizens had not directly supplied that information.

## 12. E-GOVERNMENT ROLE PLAYERS AND INSTITUTIONAL ARRANGEMENTS

A multi-stakeholders partnership approach drive the development of the best e-Government programme in developed and developing countries. This

approach provide means for all the relevant key stakeholder groups to be included in ways that not only demonstrate the value of their contributions but also provide for a synergistic impact that can be visible and that can be measured.

A programme approach at the National, Provincial and Municipal levels for implementation of the National e-Government plan, various Departments at National, provinces and municipalities levels are involved. Considering the multiplicity of agencies involved and the need for overall aggregation and integration at the national level, National e-Government Plan is being implemented as a programme, with well-defined roles and responsibilities of each agency involved. For facilitating this, appropriate programme management structures must be put in place.

The following governance model will guide the implementation of the National e-Government Strategy and Roadmap.

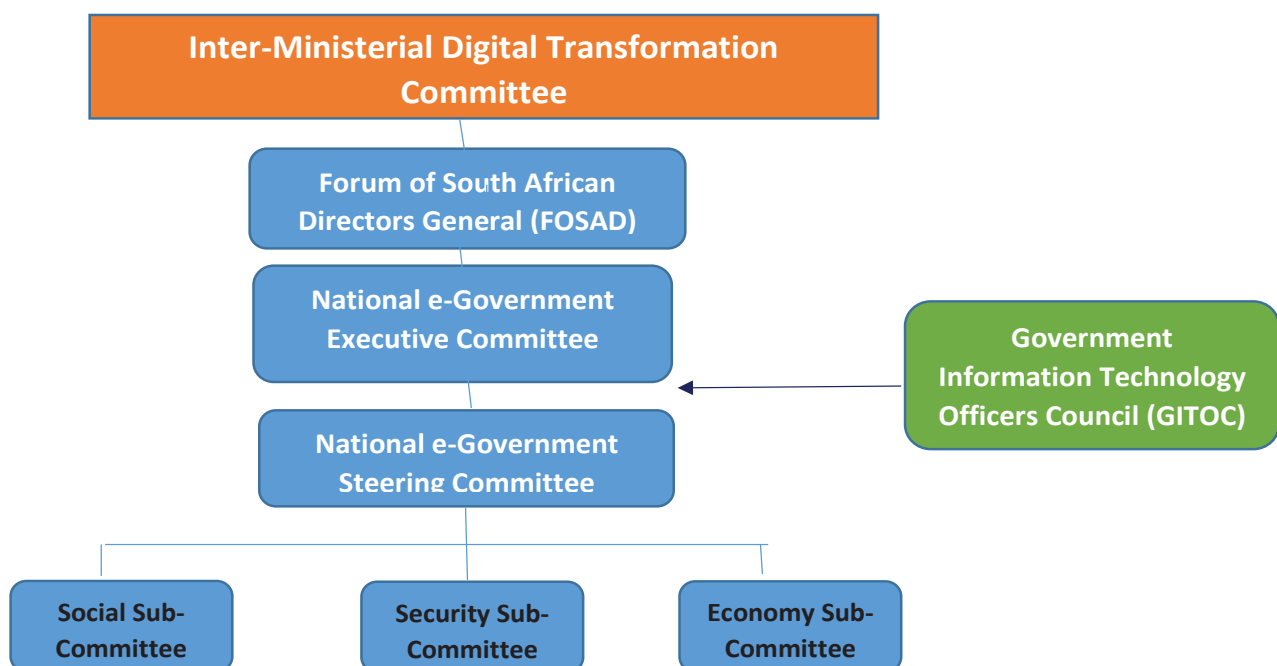


Diagram 2: National e-Government Governance Model

## 12.1. Institutional Mechanisms

### • Inter-Ministerial Digital Transformation Committee

The National Integrated ICT Policy White Paper calls for the establishment of a Cabinet Inter-Ministerial Digital Transformation Committee. The Committee will be responsible for driving the e-Government programme across the public service and facilitating coordination of activities across government

to ensure that a whole-of-government approach is applied. The Digital Transformation Committee will be responsible for:

- Approving e-Government Plans for implementation of the National e-Government Strategy and Roadmap to realise and prioritise all policies included in this White Paper;
- Champion the establishment of an e-Government budget vote through National Treasury processes to secure dedicated funding for e-Government activities;
- To ensure e-Government policy and regulatory portfolio in alignment with government priorities and the MTSF (Medium Term Strategic Framework) outcomes. This will be achieved through the establishment of an MTSF directive on e-Government to ensure planning and evaluation of e-Government implementation by the different government departments;
- Direct the programme for change across the public service. It will facilitate coordination of activities across government to ensure that a whole of government approach is applied;
- Individual Ministries will be responsible for roll-out of ICT-related solutions in their specific focus areas. The Committee will assist in ensuring that any challenges faced by individual Ministries in implementation are addressed speedily and that Departments, Provincial and Local Governments are provided with strategic assistance where necessary; and
- The Committee will rigorously monitor progress against objectives.

The Committee will include Ministers of Telecommunications and Postal Services, Communications, Public Service and Administration, Planning, Monitoring and Evaluation, National Treasury, Cooperative Governance and Traditional Affairs, Health and Education. The Committee will be chaired by Minister in the Presidency.

- **National e-Government Executive Committee (NEEC)**

The National e-Government Executive Committee (NEEC) will be a supporting structure of the Cabinet Inter-Ministerial Digital Transformation Committee with the aim to coordinate and secure e-Government programme commitments across Departments. The Committee will be chaired by the Director-General (DG) of Presidency and will comprise the Chief Executive Officer (CEO) of SITA and DGs of DTPS, DPISA and National Treasury. The Committee will provide strategic guidance to government on issues of e-Government and report its plans and activities at the FOSAD (Forum of South African Directors General) before they could be tabled at the Cabinet Inter-Ministerial Digital Transformation Committee.

- **National e-Government Steering Committee**

The National e-Government Steering Committee will be an inter-governmental committee responsible for ensuring implementation of the National e-Government Strategy and Roadmap by government

departments and their entities. The Committee will be chaired by the DG of DTPS.

The Committee will have sub-committees on social, security and economy to address issues relating to government services by the relevant departments.

- **Government Information Technology Officers Council (GITOC)**

The GITOC will provide technical and advisory support to DTPS, DPSA and SITA on issues relating to digitisation of government services. The GITOC constitution is to be amended to include e-Government responsibility.

## **12.2. Roles and Responsibilities**

- **Department of Telecommunications and Postal Services (DTPS)**

DTPS is the facilitator and catalyst for the implementation of National e-Government Strategy and Roadmap by various Government departments and also provides technical assistance through SITA and manages the programme. This will be achieved through the following activities;

- DTPS will lead the establishment of the Cabinet Inter-Ministerial Digital Transformation Committee and provide secretariat support to the Committee;
- Review all legislations affecting e-Government to harmonise the frameworks and to improve service delivery through ICTS;
- Drive the uptake of e-Government services within government and by citizens through communications and awareness campaigns;
- Develop strategies and programs to drive open government;
- Develop technology roadmaps on leveraging technological innovations (such as cloud computing, internet of things (IoT), big data, mobile innovations and data object architecture (DoA)) by government;
- Create a platform for the identification and coordination of projects
- Ensure compliance to government wide security standards and measures.

- **Department of Public Service and Administration (DPSA)**

The DPSA's responsibility is towards government process re-engineering and change Management, which are desired to be realised across all government departments.

- **National Treasury**

The National Treasury allocates funds for National e-Government Programme through Plan and Non-plan budgetary provisions and lay down appropriate procedures in this regard. The National Treasury will support the DTPS in the establishment of an e-Government budget vote to secure dedicated funding for e-Government activities.

- **National, Provincial and Local Government**

- The role for the National departments is to provide for e-Government services. Departments will identify and inform the DPISA and DTPS about various departmental Government-to-Citizen (G2C), Government-to-Government (G2G), Government to Employees(G2E) and Government to Business (G2B) services which can be delivered through SITA electronically. The Departments would further do the back-office computerization for the identified services at headquarter, provincial and district levels. Departments will provide the required support for framing policies. Departments will also take necessary action to make the delivery of e-Government services a success.
- The role for the provincial administration in the e-Government services is to coordinate provincial and municipal e-Government services with various departments and stakeholders and shall further organize the awareness and sensitization workshops for the masses.

- **State Information Technology Agency (SITA)**

SITA is responsible to improve service delivery to the public through the provision of IT, information systems and related services in a maintained information systems security environment to departments and public bodies; and to promote the efficiency of departments and public bodies through the use of IT. There is therefore a need to define a new role for SITA as a Digital Transformation Entity in the implementation of this National e-Government Strategy and Roadmap.

The delivery of government services would be mandatory for SITA especially at National and provincial level, and will work together with DTPS and DPISA in providing project management and other support to all e-Government projects.

### **13. MONITORING AND EVALUATION OF e-GOVERNMENT SERVICES**

There is a lack of compliance by sector departments with regard to the identification, execution and implementation of e-Government projects. Most government departments view e-Government within the ambit of their internal departmental business needs, goals and initiatives. As a result, duplication occurs and there is no synchronised approach to the implementation of e-Government within the Public Service.

The DTPS will develop a Monitoring and Evaluation Strategy for e-Government implementation with indicators agreed to by all relevant stakeholders. The model for monitoring and evaluation of e-Government services projects will be developed and form part of the e-Government Monitoring and Evaluation Strategy. This model will serve as a tool for understanding what would be needed to change while developing and implementing projects and to assess the impact of the National e-



Government Strategy and Roadmap implementation in South Africa. The model will also serve as a guiding framework for South Africa to improve its global rankings on advancing digital transformation of government services.

#### **14. FUNDING FOR e-GOVERNMENT SERVICES**

Globally there has been a concerted effort to ensure the fast tracking of e-Government projects through a variety of financial models. The scale and scope of the interventions to be undertaken for South Africa to meet its e-Government objectives requires investment by public and private sectors.

Worldwide, the implementation lack of financial resources, and low levels of skills and limited capacity of governments are some of the main obstacles faced in pursuance of e-government nationwide. The introduction of Public-Private Partnerships (PPP) is seen as a solution to overcome many of the obstacles and challenges faced by governments in realizing the objectives of e-government projects. The PPP model is expected to increase opportunities for both the public and private sectors to serve their customers more effectively and efficiently. An environment conducive to private sector investment must be created through enabling policy and regulations for e-Government services. The different PPP models will be explored to identify the best option and these include; contracting for electronic services and ICT facilities management, co-ownership and co-financing of projects and use of build-operate-transfer (BOT) agreements.

In government, the implementation of this Strategy will need additional funding for transversal programmes and individual government entities. An e-Government Investment Framework should be developed by the DTPS in consultation with National Treasury. It is recommended that a dedicated e-Government budget vote be established, informed by this e-Government Investment Framework.

#### **15. HIGH LEVEL IMPLEMENTATION PLAN**

The National e-Government Strategy and Roadmap clearly sets out the vision for e-Government in South Africa and proposes what needs to take place to accomplish the vision. This section is part of the Roadmap that outlines the key actions which ought to take place to enable the implementation of this Strategy. This is a high-level action plan indicating broadly what is to be achieved, who will be responsible and the estimated timelines.

Once the National e-Government Strategy and Roadmap has been approved by Cabinet, the first key activity that will need to be undertaken by the DTPS is the amendment of the ECT Act and the Public Service Act in collaboration with DPSA. This will allow for the establishment of Cabinet Inter-Ministerial Digital Transformation Committee to oversee the development of detailed, integrated national e-Government plans. The successful digital

transformation requires extensive cooperation and collaboration between government spheres.

The DTPS shall in collaboration with SITA and the Inter-Ministerial Digital Transformation Committee, formulate plans for the establishment of the required e-Government infrastructure and the delivery of eServices to realise an inter-operable government. These plans shall include, at a minimum, a detailed work plan, relevant architecture plans and a detailed implementation plan. These plans will leverage off the current e-Government assets which SITA has already developed. These include the deployed portal, the respective departmental eServices and the SITA e-Gov Digital Strategy. All Government departments should be aware of the detailed plan and continue to re-design their current business processes taking into account the requirements set out in this plan.

Throughout this process, the DTPS and DPSA in collaboration with respective departments must raise awareness of the eServices to increase the take-up. This may be accomplished by providing information on the eServices through various communication channels such as government websites, in press releases, print media on printed forms, advertising banners, radio, television and/or through the use of appropriate social media platforms.

SITA will be a technical leader in this digital transformation of government services journey, collaborating with the various government departments to realise a digital government that embraces citizen centricity.

Below is the high level implementation plan for the National e-Government Strategy over a 5 year period (2017 – 2021)

### 15.1. NATIONAL E-GOVERNMENT STRATEGIC INITIATIVES AND TARGETS

<b>e-Government Strategic Outcome</b>	<b>Deliverables</b>	<b>Target (3 years)</b>	<b>Responsible party</b>
1. E-Government Services Transformation	Establish a standardised open digital platform to allow for a connected government	2016- 2018	SITA and all other government departments
	Identify citizen facing Public Services that are candidates for electronic service delivery (such as to apply for certificates, permits, basic services, licenses, grants, etc.)	2017-2018	DTPS, DPSA and all other government departments
	Establish mobile sites to increase access to services	2017- 2020	DTPS and its entities



	Design and implement mobile innovations for offering mobile services	2017- 2020	DTPS, DST and SITA
2. E-Enhanced Governance	Development of a National e-Government Strategy and Roadmap	2016-2017	DTPS
	Development of a 3 Year eServices Implementation Plan (aligned to SITA eGov Digital Strategy)	2016-2017	SITA
	National audit of government ICT systems	2016- 2018	SITA
	Develop e-Government governance structure and plans	2017- 2018	DTPS and DPSA
	Develop an Open Government Framework	2018 - 2019	DTPS and DPSA
	Review/Refine Catalogue of Public Services across all spheres of government	2017-2018	DTPS and all other government departments
	Digitalisation of Government Business Services	2016- 2019	SITA and all other government departments
	Establish the e-Government common service centres	2017 - 2020	DTPS, GCIS, SAPO, SITA and all other government departments
	Harmonise the policy environment and legislative framework through the review all legislations affecting e-Government to harmonise the frameworks and to improve service delivery through ICTS.	2017- 2020	DTPS and DPSA
	Establish Cabinet Inter-Ministerial Digital Transformation Committee that will champion the implementation of e-Government in South Africa	2017-2018	DTPS and DPSA

	Re-focus of SITA as a Digital Transformation Entity	2017-2019	DTPS and SITA
	Developing e-Skills Strategy for e-Government services	2017-2019	DTPS, NEMISA and all other government departments
	Develop programme for re-skilling and capacitating the government employees to provide e-Services	2018-2021	DTPS, NEMISA, SITA, GITOC and all other government departments
3. Digitally-enabled Society	Develop e-Skills programmes for rural and underserved communities. Establish centres of excellence in the municipalities and provinces to capacitate and empower rural areas	2017-2021	DTPS, NEMISA and all other government departments
	Develop monitoring and evaluation strategy for e-Government	2018-2019	DTPS, Stats SA, SITA and all other government departments
	Establish a monitoring and evaluation system for e-Government implementation in South Africa	2018-2021	DTPS, Stats SA, SITA and all other government departments
	Develop communication and awareness plans for e-Government services roll-out across all levels of government to drive change management towards a paperless government	2017-2018	DTPS, DPSA and all other government departments
	Implement communication and awareness plans for e-Government services roll-out	2018-2021	DTPS, DPSA and all other government departments

## 16. RISK ANALYSIS AND MITIGATIONS

The impact of key decisions on the ultimate success of the e-Government implementation will need to carefully consider risk factors on an ongoing basis. These risks could be associated with any of the major components involved with the programme as detailed below:

- **People:** Availability of suitably qualified people, their understanding and appreciation of each project/programme, perception of programme's management on their work schedules and quality of work.
- **Processes:** Magnitude of change to existing business processes, security considerations, and changes that can stand the test of time.
- **Technology:** The choice of the appropriate technology, the need for the adoption of specific standards. The monitoring of selected standards to ensure a balance between opportunity and cost. Effective management of risks involves: identifying possible risks in advance, having processes in place to monitor risks, having the right balance of control in place to mitigate the adverse consequences of the risk, should it materialize; and establishing a decision-making process supported by a framework of risk analysis and evaluation.
- Active risk management helps the achievement of wider programme aims, such as: effective change management, the efficient use of resources, better programme/project management, minimizing waste and fraud, supporting innovation, and increased understanding and visibility of e-Government initiatives, leading to a more realistic estimate of timescale and costs.
- An initial set of risks for e-Government implementation has been listed in the table below:

Risk Mitigation	
Risk	Mitigation
i. Government departments are too slow to adopt the e-Government services to migrate manual processes to make them online services.	The DTPS and DPSA should collaborate to engage all government departments to encourage them to make e-Government services as part of their priorities.
ii. Lack of e-Governance structure	DTPS in conjunction with DPSA will develop the framework for e-

	Governance structure indicating responsibilities of each government departments.
iii. Lack of capacity and availability of resources including availability of local skills to implement and use e-Government services.	Each government department will arrange training to re-skill people and to strengthen e-government services related skills
iv. Cooperation and harmony among government entities in decision making for e-Government initiatives	Establish Inter-governmental working groups with clear authority over defined e-Government initiatives
v. Ability and willingness of government entities to document and share their business requirements, processes, services, data and strategies	Active coordination among government entities to document and share information necessary for e-Government initiatives
vi. Conflicting decisions among government departments	Use of inter-governmental working groups with clear authority to supervise and enforce e-Government policies and standards
vii. Resistance to change	Increase awareness among stakeholders, raise accountability and enhance change management
viii. Misalignment with other government entities	Invest in good coordination with key stakeholders and initiative owners

## 17. GLOSSARY

CoGTA	Cooperative Governance and Traditional Affairs
DOC	Department of Communication
DHA	Department of Home Affairs
DoL	Department of Labour
DPSA	Department of Public Services and Administration
DTPS	Department of Telecommunications and Postal Services
EGDI	e-Government Development Index
e-ID	Electronic Identity
G2B	Government to Business services are all services public bodies provide to businesses via electronic channels.
G2C	Government to Citizens services are all services public bodies provide to citizens via electronic channels.

G2G	Government to Government services are electronic non-commercial interaction between government organisations/ public bodies and authorities.
GITO	Government IT Officer (Chief Information Officer of a Department)
GITOC	Government IT Officer's Council (Includes various Standing Committees)
HANIS	Home Affairs National Information system
ICT	Information and Communication Technology. Also used as IT
IT	Information Technology. Also used as ICT
ISADR	Information Society Development and Research
OGCIO	Office of the Government Chief Information Officer (See PSICTM)
MIOS	Minimum Interoperability Standards
MISS	Minimum Information Security Standards
MOC	Minister of Communication
MPSA	Minister of Public Services and Administration
NBIS	National Basic Information System
NDP	National Development Plan 2030
NPC	National Planning Commission
OSS	Open Source Software
PKI	Public Key Infrastructure
Plan	A detailed scheme, program or method worked out beforehand for the accomplishment of an object
PNC on ISAD	Presidential National Commission on Information Society And Development
POC	Proof of Concept
PRC	Presidential Review Commission
PSICTMO	Public Service ICT Management Officer
RSA	Republic of South Africa
SAPO	South African Post Office
SARS	South African Revenue Services
SITA	State Information Technology Agency
UN	United Nations

## ANNEXURE A – IDENTIFIED DEPARTMENTS WITH PROPOSED e-SERVICES CATALOGUE

National Department	Proposed services	Service Description
1. Department of Transport	Driving and Motor Vehicle Licences	<ul style="list-style-type: none"> <li>• Register personalised number plate</li> <li>• Renew motor vehicle licence</li> <li>• Apply for a motor vehicle licence</li> <li>• Notification of change of address or particulars of a person or organization</li> <li>• Apply for a temporary permit</li> <li>• Change of ownership or sale of a motor vehicle</li> <li>• Apply for certificate/duplicate document in respect of a motor vehicle</li> <li>• Confirm motor vehicle detail changes</li> <li>• Apply for traffic register number</li> <li>• Apply for a roadworthiness certificate</li> <li>• Register as a driving instructor</li> <li>• Register a driving licence testing centre</li> <li>• Register as a testing station</li> <li>• Register and licence a vehicle</li> <li>• De-register (scrap) a motor vehicle</li> <li>• Apply for a learner's licence</li> <li>• Apply for a driving licence</li> <li>• Apply for letter of authority in respect of motor vehicle</li> <li>• Apply for a professional driving permit</li> <li>• Renew driver's licence</li> <li>• Register as a manufacturer/importer/builder of vehicles / Make an oath to build up a motor vehicle</li> <li>• Apply for motor trade permit and number</li> <li>• Apply for a temporary driving licence</li> <li>• Apply for special classification in respect of licence fees</li> <li>• Apply for refund of licence fees</li> <li>• Apply for replacement of lost or stolen driver's licence</li> <li>• Apply for exchange of foreign driver's licence</li> </ul>

2. Department of Social Development.	Social benefits	<ul style="list-style-type: none"> <li>• Child support grant</li> <li>• Disability grant</li> <li>• Foster child grant</li> <li>• Care dependency grant</li> <li>• Enrol on new grant payment system</li> <li>• Social relief of distress</li> <li>• International social services (ISS)</li> <li>• War veterans grant</li> <li>• Old age pension</li> <li>• Admission to old age home</li> <li>• Grant in aid</li> <li>• Admission to old age home</li> <li>• Register as a community based caregiver for older persons</li> <li>• Register as caregiver for older persons</li> <li>• Closing an older persons residential facility</li> <li>• Register as a community based caregiver for older persons</li> <li>• Register a non-profit organisation</li> </ul>
3. Department of Health	e-Health	<ul style="list-style-type: none"> <li>• Enables citizens (patients and caregivers) to access and manage personal medical Information (certification, fees, and account management).</li> <li>• Advice to South Africans in the event of death abroad</li> <li>• Give notice of death</li> <li>• Admission into a mental health institution</li> <li>• Communicable diseases</li> <li>• Register medical aid scheme</li> </ul>
4. Department of Basic Education (DBE)	e-Education	<ul style="list-style-type: none"> <li>• School management system</li> <li>• Students enrolment system</li> <li>• Distance learning</li> <li>• Infrastructure and assets management</li> <li>• Apply for reissue of matric certificate (Application for the re-issue of a matriculation certificate)</li> <li>• Apply for the registration of a learner for home schooling</li> <li>• Apply to register as an educator</li> <li>• Apply to register with an ABET centre</li> <li>• Provide Admission to school services</li> <li>• Apply for accreditation as a service provider (Application to SAQA accreditation as a service provider )</li> </ul>

		<ul style="list-style-type: none"> <li>• Apply for evaluation of foreign qualifications</li> <li>• Accredite Education and Training Quality Assurance body (ETQA)</li> <li>• Verify qualification achievements on the National Learners' Records Database</li> </ul>
5. Department of Higher Education and Training (DHET)	e-Higher Education	<ul style="list-style-type: none"> <li>• Register as a private higher education institution (Application for registration as a private higher education institution)</li> <li>• Register with tertiary institution</li> <li>• Apply financial assistance from the National Student Financial Aid Scheme (NSFAS)</li> <li>• Apply to register as an educator</li> <li>• Register as tertiary institution</li> <li>• Apply for accreditation as a service provider (Application to SAQA accreditation as a service provider )</li> <li>• Apply for evaluation of foreign qualifications</li> <li>• Accredite Education and Training Quality Assurance body (ETQA)</li> <li>• Verify qualification achievements on the National Learners' Records Database</li> </ul>
6. National Treasury	Financial management system, procurement process and related services.	<ul style="list-style-type: none"> <li>• Procurement system</li> <li>• PFMA management system.</li> <li>• Monitor provincial infrastructure development</li> <li>• Monitor municipal financial management reforms</li> <li>• Payment of pension benefits and contributions to funds (including special pensions)</li> <li>• Payment of contributions to medical aid schemes</li> <li>• Payment of risk and administration fees to the Political Office Bearers' Pension Fund</li> <li>• Provide special pensions awareness campaign</li> <li>• Payment of military pension benefits</li> <li>• Payment to service providers for medical expenses</li> </ul>



7. Department of Trade and Industry	Business registration, business incentives, intellectual property etc.	<ul style="list-style-type: none"> <li>• Business Process Services (BPS) Incentive</li> <li>• Co-operative Incentive Scheme (CIS)</li> <li>• Clothing and Textile Competitiveness Improvement Programme (CTCIP)</li> <li>• Export Marketing &amp; Investment Assistance Scheme (EMIA)</li> <li>• Production incentives (PI)</li> <li>• Sector Specific Assistance Scheme (SSAS)</li> <li>• Section 12i Tax Allowance Incentive (12i TAI)</li> <li>• Support Programme for Industrial Innovation (SPII)</li> <li>• Technology and Human Resources for Industry Programme (THRIP)</li> <li>• Tourism Support Programme (TSP)</li> <li>• Application for the registration of a patent</li> <li>• Registration of Trademark</li> <li>• Application to register a copyright</li> <li>• Register a design</li> </ul>
8. Department of Correctional Services	e-correctional services	<ul style="list-style-type: none"> <li>• Provide safe, secure and humane conditions of incarceration</li> <li>• Manage access to Correctional facilities</li> <li>• Manage payments of bail and fine at correctional facilities</li> <li>• Schedule visitation of inmates</li> <li>• Induct/Orientate Civilians about Prisons</li> <li>• Manage complaints</li> <li>• Attend to reported incidents</li> <li>• Provide health care services</li> <li>• Conduct recreational programmes</li> <li>• Offer personal development services to offenders</li> <li>• Provide after-release supervision</li> </ul>
9. Department of Home Affairs	e-Home Affairs	<ul style="list-style-type: none"> <li>• Register birth</li> <li>• Apply for identity document</li> <li>• Register foreign birth</li> <li>• Apply for citizenship</li> <li>• Register marriage</li> <li>• Apply for consent of marriage of a minor</li> <li>• Apply for adoption</li> <li>• Apply for child passport</li> <li>• Apply emergency travel certification</li> <li>• Apply for maxi passport</li> <li>• Apply for official passport</li> </ul>

		<ul style="list-style-type: none"> <li>• Apply for crew member certificate</li> <li>• Report lost/stolen tourist passport</li> <li>• Report lost/stolen child passport</li> <li>• Request document for travel purpose</li> <li>• Report lost/stolen maxi passport</li> <li>• Report lost/stolen document for travel purpose</li> <li>• Re-register child born out of wedlock</li> <li>• Change gender</li> <li>• Change Surname of Minor</li> <li>• Change Surname of Major</li> <li>• Change Forenames</li> <li>• Correct of error(s)</li> <li>• Insert forenames in the birth register</li> <li>• Insert biological father's details in the birth register of his child</li> <li>• Register death</li> <li>• Apply for death certificate</li> <li>• Register death outside south Africa</li> <li>• Apply for permanent residence</li> <li>• Apply for VISA</li> </ul>
10. Department of Labour	Work related services	<ul style="list-style-type: none"> <li>• Apply for registration on an amalgamated bargaining council</li> <li>• Provide information on how to pay the Compensation Fund</li> <li>• Report an occupational accident to the Compensation Fund</li> <li>• Apply for the essential services committee for a determination that the whole, or part of the employer's business, is a maintenance service</li> <li>• Apply for registration as a bargaining council</li> <li>• Apply for certificate of accreditation of private agency rendering dispute resolution</li> <li>• Notify the Nedlac a trade union or a trade union federation is considering protest action services</li> <li>• Refer a dispute to the CCMA for conciliation or conciliation-arbitration (con-arb)</li> </ul>

		<ul style="list-style-type: none"> <li>• Apply for registration of an employee's and employer's trade union with the Department of Labour</li> <li>• Request the CCMA to secure agreement on picketing rules during a strike or lockout</li> <li>• Request the essential services committee to conduct an investigation to determine if the whole or part of any service is an essential service</li> <li>• Submit earnings statements to the Compensation Fund</li> <li>• Apply to set up a learnership as a training provider</li> <li>• Apply to join a learnership if you are unemployed</li> <li>• Apply to set up a learnership if you are an employer</li> <li>• Apply for adoption benefits</li> <li>• Apply to register an occupational disease</li> </ul>
11. Department of Justice	e-Justice	<ul style="list-style-type: none"> <li>• Consult family advocate</li> <li>• Marry under customary law</li> <li>• Provide equality/discrimination services</li> <li>• Report estate of the deceased</li> <li>• Change the amount of maintenance</li> <li>• Register trusts</li> <li>• Apply for rehabilitation by insolvents</li> <li>• Protect children accused of crime/in trouble with the law</li> <li>• Apply for a maintenance order</li> <li>• Apply for a domestic violence protection order</li> <li>• Request a further warrant of arrest of a domestic violence respondent</li> <li>• Notify for the rescission of the order of adoption</li> <li>• Recover debt</li> <li>• Apply for the adoption a child</li> <li>• Make an affidavit regarding contravention of a protection order</li> </ul>

		<ul style="list-style-type: none"> <li>• Obtain legal advice</li> <li>• Apply for an adoption of a foster child</li> <li>• Apply for variation or setting aside of a protection order</li> <li>• Consent/withdrawal of consent by a parent or guardian of a child for adoption</li> <li>• Pay maintenance</li> </ul>
12. Department of Agriculture, Forestry & Fisheries	e-Agriculture	<ul style="list-style-type: none"> <li>• Report on statistics on fresh produce markets</li> <li>• Report on monthly food security bulletin</li> <li>• Report on crops and markets</li> <li>• Issue import permits for plants, plant products and other regulated articles</li> <li>• Import permits for plant propagation material and crops grown in the Western Cape</li> <li>• "Report on Pest information package (PIP)</li> <li>• "Register phytosanitary and approve production units, pack houses and inspection points for export for fresh fruit</li> <li>• "Provide pest incursion responses</li> <li>• "Provide quarantine pest incursion responses</li> <li>• Report on plant health information material</li> <li>• Report on plant health diagnostic services</li> <li>• Provide plant quarantine</li> <li>• Inspect official ports of entry</li> <li>• Import/export of genetically modified organisms (GMOs)</li> <li>• Provide use of genetically modified organisms (contained use, trial release, commodity clearance, general release)</li> <li>• Register facilities</li> <li>• Provide GMO status certificates</li> <li>• Export certificates for liquor products</li> <li>• Export exemption certificates</li> <li>• Import certificates for liquor products</li> <li>• Register agricultural production inputs (fertilizers, farm feeds, agricultural remedies, stock remedies, pest control operators and sterilizing plants)</li> <li>• Issue import permits (animals and animal products)</li> </ul>

		<ul style="list-style-type: none"> <li>• Facilitate exports of animals and animal products</li> <li>• Coordinate the prevention and control of animal diseases (such as foot-and-mouth disease, avian influenza, etc.)</li> <li>• Approve import and export facilities</li> <li>• Register animal identification marks</li> <li>• Provide veterinary services information distribution</li> <li>• Provide natural disaster early warning system—early warning monthly NAC advisories on disaster prevention, preparedness and reduction</li> <li>• Provide natural disaster early warning—severe weather warnings</li> <li>• Provide information and advisory services</li> <li>• Provide production guidelines</li> <li>• Provide seed testing services</li> <li>• Provide training programmes on production and related matters</li> <li>• Provide training programmes on seed testing</li> <li>• Provide training programmes on seed testing</li> <li>• Provide certification of schemes</li> <li>• Register premises (nurseries, seed cleaners, packers, sellers and test laboratories)</li> <li>• Issue export certificates for seeds</li> <li>• Issue plant export certificate</li> <li>• Issue authorizations for the import of unlisted varieties of plants and propagating material</li> <li>• Provide variety listing</li> <li>• Provide animal and aquaculture production advisory services</li> <li>• Authorize import and export of animals and related genetic materials</li> </ul>
13. Department of Human Settlements	Housing related applications	<ul style="list-style-type: none"> <li>• Apply for people's housing process</li> <li>• Apply for Individual housing subsidy</li> <li>• Apply for relocation assistance</li> <li>• Apply for project linked subsidies.</li> <li>• Apply for hostel redevelopment programme</li> <li>• Apply for rural subsidy</li> <li>• Apply for consolidation subsidy</li> <li>• Apply for discount benefit scheme</li> </ul>

		<ul style="list-style-type: none"><li>• Apply for institutional subsidy</li><li>• Apply for public sector hostel redevelopment funding</li></ul>
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## DEPARTMENT OF TELECOMMUNICATIONS AND POSTAL SERVICES

NO. 343

07 APRIL 2017

**ELECTRONIC COMMUNICATIONS AND TRANSACTIONS ACT, 2002 (ACT NO.25 OF 2002)****NATIONAL e-STRATEGY**

I, Siyabonga Cyprian Cwele, Minister of Telecommunications and Postal Services, hereby publish the proposed National e-Strategy in terms of Section 5(3) of the Electronic Communications and Transaction Act, 2002 (ACT NO.25 of 2002).

Interested persons are invited to provide written comments on the proposed Strategy and Roadmap, within 30 working days from the date of publication of this notice at any of the following addresses:

Post: For Attention:

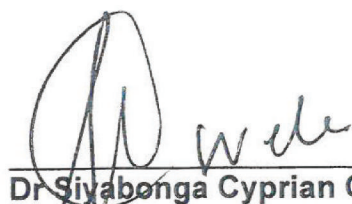
Ms Angie Mokgabudi  
Chief Director: ISAD Coordination  
Information Society Development and Research Branch  
Private Bag X860,  
Pretoria, 0001

Or Deliver to:

Block A, iParioli Office Park,  
1166 Park Street, Hatfield, Pretoria

Email: [estategy@dtps.gov.za](mailto:estategy@dtps.gov.za)

Please note that comments received after the closing date may be disregarded. Please contact Ms Angie Mokgabudi at (012) 420 7726 for any enquiries.



**Dr Siyabonga Cyprian Cwele, MP**  
**Minister of Telecommunications and Postal Services**

Date:

30/3/2017

# National E-Strategy



Technology Working For the People to Build an  
Information and Knowledge Society



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## **1. A National e-Strategy to catalyse economic and social development.**

### **1.1. Introduction**

Much has been written about the potential offered by the Information and communication technologies (ICTs) in accelerating economic growth and promoting sustainable development through increased economic activity, innovation and productivity. This discussion has resulted in the centralization of the technologies as opposed to the production of people centric solutions to deal with the many problems that characterize South Africa's, (or other developing countries) challenges. Discussions on technology, in it and by itself, have been pivotal in the failure of many strategies that defined what needed to be done in those narrow technical terms.

This document departs from the notion that for any strategy to succeed it must be founded on real issues and providing real solutions with the people and their development at the center of such strategy. ICTs are not such solutions but tools to deliver services, enabling important tasks to be done better, faster at larger scale and scope, offering unlimited access and convenience.

The fundamental question posed by the development of the National e-Strategy has not been whether South Africa possesses the latest technologies or data speeds comparable to other countries but rather how can South Africa use the latest technologies and the fastest data speeds to usher in a period of sustained economic, social and political development.

The e-Strategy is linked to and contains implementation aspects of the developmental vision that is anchored in the Constitution and the National Development Plan. The Constitution contains the rights of South Africans and the obligations of the democratic state to the realization of these rights. Equality and the right of everyone to "full enjoyment" of all opportunities underpin all rights and freedom enshrined in the constitution. Importantly, the constitution imposes an obligation on government to take direct actions to redress any inequality.

The NDP outlines a national plan to build a more inclusive economy towards building a more caring inclusive society. The NDP is predicated on the use of modern tools and technologies. In particular the NDP called for "A single cohesive strategy to ensure the diffusion of ICTs in all areas of society and the economy. Like energy and transport, ICT is an enabler – it can speed up delivery, support analysis, build intelligence and create new ways to share, learn and engage"

The National E-Strategy further gives expression to the national policies and priorities that have been adopted to create conducive environment for the realization of the country's developmental goals. These policies and priorities cover many areas of human activity and are not confined to the ICT sector. The National E Strategy is not a new venture aimed at redefining the problems and making decisions on new priorities but provides a critical thinking of how all

sectors of society and the economy can collaborate in a society wide use of ICT resources to fast track implementation of priorities and decisions already taken.

Government is a critical role player in creating an enabling policy and regulatory environment. Furthermore, in many aspects of life government is the key deliverer of services that many South Africans rely on for their lives. In ICT matters government is also the biggest consumer of services. It is against this background that government role is central in two ways to the successful implementation of the National E Strategy. First government must be the model user in the integration and use of different systems and in different context to deliver services using the modern technological tools.

The National e-Strategy contains an e-government strategy that will define the parameters and forward-looking strategies for the use of the ICTs in a government wide environment to deliver different services. Secondly government must create the necessary environment for the different societal and economic sectors to grow using the ICTs. There are a number of recently adopted policies that facilitate such outcomes that will be referenced in this document in order to provide a link to other programmes of government that are critical to the success of the National E Strategy

The E-Strategy document appreciates the role of the ICTs as enabler and facilitator for socio-economic development. The technologies, systems and infrastructure must be widely available and accessible to every South African and everywhere in South Africa for this role to be fulfilled. The E Strategy is therefore also premised on the resolution of all the intricate blockages and hurdles that prevent universal infrastructure deployment and therefore access to the different platforms and services. The National Integrated ICT Policy, adopted by Cabinet in October 2016 incorporates many principles and policies that address the underlying problems in the provision of affordable and relevant ICT services. The E Strategy document incorporates the major pillars of the National Integrated ICT Policy and gives concrete expression to its implementation.

Since the advent of global networks that cannot be controlled from one jurisdiction, there has been a rise in the number of crimes and threats on these platforms. This requires all countries to do their share to secure these networks that though global in nature but are critical for the different nation states to deliver services and ensure effective democratic expression and participation in individual countries. These measures to counter what is now commonly referred to as cyber crimes and cyber threats is critical to safeguard national mission critical systems, utilities and infrastructure. More importantly these measures are invaluable to win public confidence and trust that they can share personal information in a secure and safe environment and therefore their increasing use of the modern communication technologies. The E Strategy addresses the key issues to secure the Internet and the cyber world while also outlining how government will mobilize the population to be aware of these threats and how to defend themselves against them.

One aspect that will facilitate and involve all South Africans in the global economy will be electronic commerce that will allow South Africans to offer their skills, produce and products beyond their immediate environments. E Commerce will increasingly also enable South Africa to trade on an equitable basis with other countries and jurisdiction in a globally competitive environment dependent on digital access to goods, secure transactions and delivery. The E Strategy outlines the critical steps to build South African capacity on e-commerce addressing both the infrastructure and legal frameworks that will create the enabling environment.

The vision of an inclusive digital information and knowledge society will not be realized without the South African population possessing the necessary skills and abilities to use the ICTS in their daily lives and to manufacture, design and produce technologies that are relevant to their circumstance. The E strategy addresses the two aspects of creating the necessary knowledge base and skills for participation. These include the mass skilling of South Africans and the generation of necessary ICT knowledge and skills for daily use. The second aspects will address the production of skilled scientists, practitioners and business managers to produce South African products that though addressing South African needs can compete favorably in international markets.

Lastly, without the people there can be no effective movement and transition towards the digital information and knowledge society. Effective participation through out the different phases of the transition to the future will also ensure the deployment of relevant technologies to solve real problems. The e-Strategy outlines the institutional mechanisms that bind and involve different spheres and departments of government while offering platforms and mechanisms for effective grass root participation. The institutional mechanisms will outline roles and responsibilities of the different role players. It will also provide for co-ordination mechanisms in order to ensure effective planning, implementation and monitoring of the various governmental, sectoral and societal programmes.

An effective e-Strategy will require a whole of government approach and collaboration between various sectors of the economy and sectors. The e-Strategy provides for the development of the sectoral strategies linked to priorities identified by the different sectors. It is in this regard a whole of society approach influenced and dictated by the issues, priorities and challenges of different sectors.

The adoption of the National e-Strategy could not have come at a better time. World discussions are currently focused on the evolution of the different technologies and their convergence to usher in the 4<sup>th</sup> Industrial Revolution. According to the World Economic Forum (WEF), defines the Fourth Industrial Revolution as a process in which new technologies and approaches are merging the physical, digital and biological worlds in ways that will fundamentally transform humankind. The 4<sup>th</sup> Industrial revolution has therefore been described as epoch making changes to the way the world functions, produces goods, and use them to sustain itself.

South Africa has the potential to accelerate social and economic transformation especially when considering the emerging Fourth (4<sup>th</sup>) Industrial Revolution. The revolution will benefit many industries including manufacturing, transportation, energy, tourism, government, healthcare, education, sports and entertainment etc. The 4<sup>th</sup> Industrial Revolution has also many potential pitfalls and problems associated with rising inequality, mass unemployment and the replacement of human capital with automated machines and robots that must be mitigated. The National e Strategy provides a platform for South Africans to integrate technology in their lives in a manner that is beneficial to society as a whole.

## 2. Why an E- Strategy

The country's growth and development priorities are expressed in the National Development Plan (NDP), which offers a 2030 vision that articulates the desired destination the country aspires to reach and the role that different sectors of society are supposed to play in reaching the desired goal. The NDP, mandates government to develop a National e-Strategy, which will underpin the development of an inclusive Information Society and Knowledge Economy.

The Electronic Communications and Transaction Act of 2002 provides for the development of a South African National ICT Strategy. Such a national strategy has up to date not been developed and instead various sectors have developed and implemented their sector strategies covering individual requirements of a given policy area ranging from health, education, public administration, taxation, transport, local government etc. The approach has resulted in some successful use of ICTs to deliver services but at the same has resulted in duplicated efforts and a largely uncoordinated and poorly aligned approach to service delivery. Gaps can also be identified with regard to coordination strategy, strengthening of the institutional arrangements, infrastructure availability and accessibility, insufficient network security.

The process for the development and implementation of the National e-strategy by its very nature multi-sectoral, trans-disciplinary and highly complex. Therefore, it attempts to consider all sectors and define priority areas for implementation. This National e-Strategy recognizes that some entities both public and private sectors might have developed their own e-Strategies. In this regard the National e-Strategy seeks to assist and support such initiatives, while persuading all sectors to consider implementing nationally prioritised e-strategy programmes and initiatives.

The National e-Strategy is an appropriate, comprehensive, futuristic and sustainable document because it has developed its Vision taking tune from the National Development Plan 2030 and primarily from the Constitution of the country, which demands quality of life for all South Africans.

The National e-Strategy is developed to articulate the vision for the development of an inclusive information society and knowledge economy for the country that is based on the needs of the citizens, business and public

sector, providing a wide range of services required for effective economic and social participation.

### **3. Vision and Mission of the National e-Strategy**

#### **3.1. Vision**

##### **Making Technology Work for South African citizens and building a digital future for all**

South Africa possesses the latest technological know how and have extensive innovative ICT technologies and systems deployed in some pockets of national life. The overall task is to harness the existing technological base and direct it to providing solutions to the critical societal challenges and problems. Technology must be harnessed to serve the people and help offer solutions to real needs.

#### **3.2. Mission**

**To develop a people centric caring knowledge based society, transforming the South African society and the economy based on access and utilization of modern information communications technologies**

### **4. STRATEGIC OBJECTIVES**

The 6 strategic objectives of the National e-Strategy in the short to medium term are to:

- Developing and implementing a comprehensive e- government strategy
- Develop and implement E-strategy Sectoral Plans
- Fast tracking the roll-out of broadband infrastructure to build smart digital communities
- Developing a Cybersecurity programme to safeguard the networks, platforms, mission critical systems
- Developing frameworks for e-commerce, m-transactions and electronic payments
- Increasing the contributions of ICTs in the national economy and supporting SMMEs, South African software and hardware businesses

#### **4.1. Strategic objectives and Key activities and outcomes**

##### **4.1.1. Developing a comprehensive e-government strategy**

Government has adopted many policies that acknowledge the primary role government must play to bring about a situation in which the modern communications technologies are widely disseminated and used to deliver services.



- **The 1998 Report of the Presidential Review Commission on the Reform and Transformation of the Public Service** highlighted both the role to be played by the ICTs and the need for the integration of the various initiatives underway within the public sector at the time.
- **Parliament** approved the Electronic Communications and Transactions Act with a key objective of developing an all-encompassing e-strategy.
- The **Centre for Public Service Innovation** together with the **Department of Public Service and Administration** and the **State Information Technology Agency** published a study in 2003 highlighting the need for government to coordinate and consolidate various functions in order to give citizens access to government.
- **Government** launched the Batho Pele Gateway in 2004 as a publicly accessible central government portal.
- **Government** in 2007 adopted the National Information Society and Development Plan.
- **Cabinet** approved South Africa Connect Broadband Plan that provided for the broadband connective of all public offices and institutions.
- **Cabinet** approved the National Cybersecurity Policy Framework in 2012 to ensure a focussed and an all-embracing safety and security response in respect of the cybersecurity environment. To that end the Cybercrime and Cybersecurity Bill will be tabled in Parliament in 2017.
- **Parliament** approved the Public Administration and Management act in 2014 mandating the use of ICTs to develop and enhance the delivery of services.
- **Cabinet** approved the Integrated ICT White Paper in 2015 identifying demand-side measures to enable the uptake of e-government services.

#### 4.1.1.1. Examples of Successful implementation

All government departments have taken steps to use the ICTS to manage their back offices and to offer services on line. The ICT use in government has matured as a result of the use of applications ranging from government web portals to electronic transactional services. The following are examples of successful delivery of e-government services:

- **SARS e-filing System** compares favorably with the best in the world in terms of tax management
- **Smart Identification Card System** rates as also amongst the best identity management systems with enhanced security features.
- **Integrated National Transport System** manages the transport sector, registrations and renewals
- SITA's Government-to-Government and Government-to-Citizen **systems including basic accounting System, Logistic Management System, National Population Register**

The government initiatives cited above and other projects initiated by different government departments have achieved much to modernize the government information infrastructure and provide over that infrastructure many of the successful e-government services and projects. The establishment of the State Information Technology Agency has also provided the necessary



organizational support for the network and information infrastructure of the public service. These successes provide a platform for the further expansion of e-government services to ensure the necessary co-ordination and planning across government that will save costs while offering citizens better services.

#### **4.1.1.2. Persisting Challenges**

Despite the successes evident in the use by government of technology to deliver service, the following challenges persists:

- Lack of universal access to the broadband and Internet infrastructure across the 3 tiers of government, with access heavily skewed towards urban areas. A significant number of government offices are as a result not yet connected to the high speed Internet. This infrastructure and services gap limits the access to critical service and render doing business costly for rural and semi-urban areas. This gap presents strong impediments for e-government service delivery, in particular, for government-to-citizen services.
- Lack of co-ordination within the 3 spheres of government, between different government departments at national level, between government and public agencies that has led to costly implementation of government ICT systems, duplication, uneven development and disparate legacy systems.
- Duplication of processes, databases, large-scale system incompatibilities and inefficiencies. The existing diverse applications, platforms, and databases were not designed to share information and there is no framework for the planning of e-government services that is shared by all government departments and tiers of government.
- Capacity constraints with regard to human resources deploying, running and administering ICT infrastructure. Many government departments express a desire to be exempted from acquiring services from the designated public service provider and as consequence opt for private providers who introduce further complications with regards to different technologies they deploy as well as government information security considerations.
- Fragmented institutional arrangements making planning, funding, implementation and monitoring complex and ineffective.

#### **4.1.2. Strategic Pillars and Key interventions**

The following pillars will enable government to transition from paper based, face-to-face systems into an online environment accessible to citizens on a 24-hour basis. This will entail the establishment of government wide co-ordination mechanisms, the upgrading of the government network to offer secure communication for government, the integration of different legacy systems to offer one window to government services.

The mandate and role of the State Information Agency will be reviewed. A refocus of the SITA's mandate on design-development, wholesale business models, pooling of government demand for procurement efficiencies and the development, operation and maintenance of a secure government network and applications environment. The roles of the various government departments

and agencies will also be reviewed to effectively operate within the changed landscape and to assume more responsibilities of their ICT environments while relying on SITA for cross-cutting systems.

Role definition will recognize that individual departments are responsible for service delivery, service decisions and priorities in their respective areas. In addition there is also a specific requirement that policy and standards must be maintained across the whole of the public service. The Department of Public Service and Administration role needs to be enhanced to ensure the development and maintenance of minimum standards and a coherent policy environment.

Role definition will also recognize that the development of the telecommunications, internet, postal sectors and government telecommunications and postal networks will play a fundamental role in the use of ICTs by government, business and the individual citizens. The regulation of both the public and private networks to release the e-government and e-strategy objectives will also be critical. The Department of Telecommunications and Postal Services will therefore be required to coordinate the implementation of the e-government and e-strategy.

Citizens information held by government will be secured and consolidated to provide a single view of the citizens through the establishment of Government Data Exchange to serve as a clearing-house for citizen information. The e-government strategy will outline digital identification and confirmation systems and measures to protect the privacy and security of citizens in line with the Constitutional provisions.

A framework for the development of the e-government services will take into account the different levels of development and offer mechanisms for knowledge sharing. Existing legal and policy frameworks will be reviewed to support the innovative ways of delivering services and secure citizens' rights.

The e-government strategy will support South African industries and in particular SMMEs and identify set-asides for them in the government procurement of hardware, software and applications. Government will prioritize collaboration with South African companies in the procurement and deployment of technology. A detailed e-Government Strategy document with a guiding framework as well as structures, priorities and targets will be submitted to Cabinet for approval and public dissemination. A comprehensive educational and informational campaign will underpin community involvement and mobilization to utilize these services.

A detailed E-government Strategy will outline the mission, vision, and objectives of the next stages of the development of e-government services in South Africa and how it will be programmed.

For ease of management and monitoring of progress the e-government strategy will be implemented through the following pillars and work streams:

#### **4.1.2.1. ONE Government-One Citizen View Portal**

The most important critical success factors for e-government include the acceptance by the users. Research indicates that ease of use, completeness of the information and system reliability are key to acceptance by the users.

Currently a citizens requiring electronic services from government is required to fill in different forms and provide similar information whenever he or she must interact with government. In a reflection of this practice government does not have a single view of a citizen as information about the citizen is scattered in various government departments' archives. This situation epitomizes the lack of consolidation and fragmentation that prevents ease of use of e-government services.

The maturity levels in the use of ICTs within society and the public service sector now requires an evolution that will consolidate the various portals and windows to offer citizens a consolidated picture of government services and in turn government a single view of the citizen. To this end government will review its access strategy in order to provide for an interactive, transactional portal that will give a holistic view of government and its electronic services.

The following principles will guide the consolidation of the existing portals:

- The Integrated Portal will give the citizens a single view of government and government a single view of the citizen.
- The Integrated Portal will offer services in all official South African languages
- The integrated Portal will cater for all the needs of South Africans including people with disabilities.
- The Integrated Portal will provide informational as well as transactional services
- Point-of Presence Framework incorporating the government offices and Post Office infrastructure as access points

#### **4.1.2.2. Consolidation, Interoperability and Back End Integration of e-Government Services**

The achievement of the policy goals and objectives to offer equal access to government services, improve productivity of the public sector and to reduce costs hinges on the design and architecture of the ICT environment. I has been noted that one of the persisting challenges in the government ICT environment are different legacy systems and different technologies and technical standards that have been adopted in the past because of the lack of coordination mechanisms.

The Interoperability of government systems is critical to increased efficiencies and security of the e-government environment. In this regard government IT systems must allow for automatic information sharing and exchange of messages and documents, collaborative applications, distributed data processing and report generation. Importantly for citizens the IT systems must enable whole –of-government search and queries.

The need for consolidation and operability stems also from the need for government to leverage its buying power in order to promote efficiencies and other policy goals including promoting the local IT industry.

Consolidation and interoperability will also eliminate unnecessary duplication of similar IT functions, projects and resources. To this end work will be undertaken to review the existing IT infrastructure, norms and standards with a view to establish:

- A single e- Government Framework to guide the development of all services by the public sector.
- Standardization of government ICT infrastructure and integration of the legacy systems
- The Government Cloud ICT Framework, norms and Standards
- Government Data Exchange to serve as the information clearing house
- Government Master Data and Services Structure will be established to manage the consolidation of government data warehouses
- Reengineering of the government service delivery mechanisms and processes to take into consideration the technological capabilities.
- Phased approach to the automation of the different departmental processes.

#### **4.1.2.3. Enhanced security for government networks, communications infrastructure, government information, citizens personal and transactional information**

Advanced e-government services rely on the trust and sense of security of different role players for its success. Data protection, privacy, a secure environment free of intrusions, malware and virus infiltration are some of the pillars that drive a sense of security in the system.

There are equally inherent requirements that government systems, electronic documents and data should be protected from unauthorized access, malicious codes and denial of services.

Importantly, critical public infrastructure for the delivery of services is now a target of attacks including infrastructure such as dams, electricity grids, railway systems and ports. With greater interconnection and dependency on the internet comes increasing vulnerability to cyber attacks that the implementation of the e-strategy must mitigate.

44% of South Africans are now connected to the internet and use the internet for their daily transactions. The proliferation of the smart devices and mobile applications point to an exponential increase in the number of South Africans connecting to the internet in the next decade. There is a growing need for cybersecurity education programmes including behavioural guidance like the need for and specifications for passwords as well as technical guidance.

To this end an elaborate cybersecurity framework will be developed taking into account the e-government requirements and the cybersecurity threats South Africa is exposed to.

To this end the e-strategy framework will be harmonized with existing provisions and lead to:

- The implementation of the National Cybersecurity Policy Framework
- The Development of Protection of Personal Information Framework
- The development of Electronic and Digital Identity Framework
- The development of the Electronic Signature Framework
- The development of Citizen and Data Privacy Framework
- The development of Electronic Payment and Transaction Framework
- The development of Citizen Cyberawareness Campaign

#### **4.1.2.4. Human Resources and ICT Skills/Awareness Training**

The development of skills is one of the core issues that need to be tackled for the development of electronic services in South Africa. The demographics of the country point to a majority that is young and capable of learning and mastering the electronic environment. With such a young population, with generations growing up immersed in digital technologies, South Africa possess what it needs to grow and develop digital services.

The early introduction and teaching of technology, the use of the technology to teach and learn are critical factors in the successful integration of the future workforce in the digital economy.

Skills and training strategies must also deal with the changing nature of the employment environment to take into consideration the infusion of technologies that is fast becoming a norm. The older generations of workers must not be left behind but given the necessary ICT tools and skills essential to their economic participation.

The third category requiring skilling are the citizens in general who must use the tools to interact with government for public services. Computer literacy training will play an important role to bridge the digital divide. Government has adopted a policy of universal access to ICTs that views the delivery of ICT infrastructure and services from both the supply and demand sides as important.

Industry based research indicate that the skills set required for e-commerce include both the technical skills as well as skills such as digital marketing, web analytics and copy writing. The Skills Framework must deal with these aspects in addition to the managerial disciplines. Web skills are a new expanding area that warrants more investment in the light of the determination to promote South African content.

To this end a skills development framework for the implementation of the e-Strategy and e-government will focus on:

- Public Sector ICT Training Framework
- Citizen Training and ICT Awareness Campaigns
- Software and specialist skills Development Programme
- School Curriculum reform
- Graduate Employment Programme

#### **4.1.2.5. Manufacturing and SMME support Framework**

The need to develop the SMME sector in South Africa has been accepted by government as a requirement to achieve higher economic growth targets. Government through many initiatives is creating entrepreneurial environment guided by the Small Enterprise Development Strategy through amongst other means creating demand for Small Enterprise products and services. The strategy is also predicated on the set aside of a significant size of public procurement bill for the SMMEs. Government programmes like the e-government and broadband roll-out should form a part of the means to grow the demand for SMME goods and services.

The demand side of the roll-out the broadband networks and services coupled with the e-government services will present an unprecedented opportunity to engage the SMME sector in the manufacturing of end-user equipment that will be manufactured and distributed as part of government services.

The interventions in this area will focus on:

- E-Government end-user equipment manufacturing strategy
- Software and Digital content Development Programme
- SMME Procurement strategy
- E-Procurement

#### **4.1.2.6. Government public services delivery priorities**

The sector e-strategies will require each sector to develop programmes for the implementation e-Strategies and e-government by different government departments. Listed below are government interventions along the prioritized areas to fast track e-government.

- Broadband Infrastructure Roll-Out
- E-Health Services Development Framework
- E-Education Services Development Framework
- E-Higher Education system
- E-Crime Prevention Strategy
- E-Tourism Development Strategy
- E-Commerce and Postal Services
- National Smart Cities and Smart Community Framework



## 5. Oversight Institutional Mechanisms

This e-Government Strategy document recognizes that the lack of coordination mechanisms has been the greatest policy gap that has resulted in many unintended consequences including the duplication of infrastructure and efforts as well as the proliferation of systems and wastage. The strategy therefore recognizes the need for developing an institutional framework that will oversee planning, reporting and monitoring from a central position but allowing for execution and strategy implementation at various logical levels. This institutional design will allow for the design and implementation of government wide systems based on common frameworks but leaving the essential task of service delivery to the departments responsible for their respective mandates.

There are three roles that will inform the definition of roles and responsibilities:

The first role of the service provider consisting of government departments and agencies that possess specialist knowledge of the various sectors and who are mandated to deliver services. ICT tools and systems are meant to assist the specialist to fulfill the mandate instead of replacing them.

The second area relates to the setting of policy on norms and standards governing IT systems in government and the policy on the administration of the public service.

The third role relates to the planning, development of networks and digital systems and their regulations for use by both the public and private sectors and citizens including for government-to-government, government-to-business and government-to-citizens communications.

The institutional framework will outline the mandates and assign responsibilities in line with the institutional scheme outlined above.

- Defining Roles and Responsibilities
- Inter-Ministerial Digital Transformation Committee
- Government information Office
- Monitoring and Evaluation

## 6. E- Sectoral Strategy Plans

The National e-Strategy, as an Overarching Framework, provides a well-coordinated and integrated roadmap that will guide all ICT initiatives by government, private sector, academia and the public at large. It is critical that each sector develops its own e-strategy that is aligned with the goals, objectives as well as priorities of the National e-Strategy. These strategies are intended to assist various sectors to plan for and implement the National Strategy.

ICTs have been acknowledged as crosscutting enablers that can impact on virtually all the social and economic sectors. It is therefore important that different sectors of South African social and economic formulate plans that address the specific concerns and challenges related to each sector. These e-

Sectoral Strategies must address how the ICTs will be strategically applied at a national scale in respective social and economic sectors. Each sector faces different challenges and opportunities emanating from the use of the ICTs. The development of the sectoral strategies will ensure a holistic adaptation and enable the different sectoral players to build the required human and technical infrastructure and know how.

Through the adoption of the ICTs different sectors could reach new markets, send or receive goods and services and transact in a more efficient way compared to traditional methods. New types of jobs and new fields could open up for different sectors taking into consideration the infusion of automation and robots in the production, packaging, transport elements of trade. Sectoral plans will be critical as the country prepares for the 4th Industrial Revolution which will have an epoch making impact in terms of how businesses and organisations operate. The sector e-strategies must address the emerging challenges and opportunities presented by the shift to the 4th Industrial Revolution.

By 2030, the year NDP goals are to be realized, the world would be a different place in terms of how government functions, business is done, the production of goods and services as well as societal expectations.

There is a growing realization and acceptance everywhere that the 4th Industrial Revolution has started in earnest and secondly, will pose a serious challenge unless mitigated because of the disruptions in which societies, economies and markets function.

The deployment of these technologies has already started with serious consequences for the industries that are disrupted. Driverless cars, automated robot-based production, packaging, warehousing are some of the innovations that have been introduced. The ability of the country to adopt, manage and use these technologies across all industrial and economic sectors will influence how competitive the country is in terms of global and regional trade. A proactive strategy will enable proper planning that will mitigate the potential job and market share losses and social disruptions while amplifying the advantages.

#### **6.1. Opportunities and Challenges of the 4th Industrial Revolution on all sectors of society and economy**

As indicated the potential of the Fourth Industrial Revolution is enormous for companies that will invent new technologies, and businesses that take first mover advantage. There is enormous potential also for the skilled people who will work using these technologies in terms of better paying jobs. The deployment of these technologies in all aspects of the human life will lead also to tangible improvement of the quality of life of those who benefit from such technological diffusion. No doubt we as country need to embrace this revolution to benefit in these terms.



There are challenges that must be mitigated consciously so that these technologies and the 4th Industrial Revolution serve all South Africans and do not reproduce the inequalities of the past. Some of these challenges include:

The impact of 4th Industrial Revolution will be felt in all sectors of the economy and society and not only on the technology and information communication sectors.

- The national dialogue must involve all sectors of society and industries. The dialogue must be broadened, (beyond and ICT Strategy), to understand and proactively respond to the likely impact on all areas of national life. The recent WEF document analysed the barriers to dealing with the disruptive changes lying ahead as insufficient understanding of the impact by government, business and social partners.

The entry of 4<sup>th</sup> Industrial revolution technologies will change how we produce goods and services requiring a major rethink to employment and the role of the SMMEs

- Examples of driverless cars and workerless factories point to significant potential of the technological changes to disrupt labour markets. Repetitive work across the board will be performed by robots resulting in displacement of workers in the production, packaging and distribution processes. As automation increases computers and machines will replace workers across a wide spectrum of industries. The reduction in the cost in production is expected to have a broader effect of changing the balance of trade and shifting back production to the industrialised countries. Whatever advantages of cheap labour that countries in the South have had and which necessitated outsourcing of manufacturing will be eroded. The industrialized countries will use their access to latest manufacturing technology based on robots and extensive infrastructure to shift the balance of trade further in their favour. South Africa is vulnerable, like many of the countries of the South who export raw materials to the industrialized countries, to forgo the further chance to industrialise.
- Big conglomerate companies are the most likely to go high tech and introduce robots and mechanized production systems to cut back on labour costs and for them to deal with competitive pressures.
- Most of the new companies will be SMMEs requiring access to funding and other governmental support to reach markets. The importance of the SMMEs as drivers of economic growth and job creation will likely grow.

There will be a fundamental change in the nature and types of jobs

- Whilst research indicates that there is likely to be a shedding of certain jobs, it also indicates that there will be new categories of jobs created. Examples of the impact of the changing nature of jobs is research indicate that in the USA, about 47% of total current employment is at risk over the next decade or two. Middle income jobs based on routine and repetition are at most risk.

According to research the least prone to replacement and automation are social workers, sales managers, doctors, human resources managers, computer system analysts and chief executive officers.

- Research has a bearing on the gender dynamics of employment indicating that a large share of the labour market disruption is likely to be concentrated in occupations with the largest percentage of female employees. The professions that are expected to grow jobs already have the highest gender imbalance, such as engineering, mathematics and computer sciences. Gender balance in skills training and education should receive more focus.
- The school curriculum and training programmes should support the new technologies. ICTs should be introduced early in learning and continuously throughout the learning stages.
- Employees will require constant exposure to new technologies and retraining. Worker skilling programmes need to keep pace with the rising demand for new skills and to cater for the displacement as a result of automation.

New Technologies will foster a need for an open and transparent government

- As the digital platforms become more accessible it will increasingly enable the citizens to engage more with government, voice their opinions, coordinate their efforts and even circumvent governmental structures. Twitter has already played a significant role in popularizing social unrest and protests movement in different countries. It has also enhanced direct interaction amongst citizens.
- The digital revolution presents government with a golden opportunity to engage more with citizens and to deliver services faster and more personalized. On the whole governments will have to respond to the pressure to be as efficient as the private sector in the delivery of services, change approaches to policy making. Effective e-government strategies and platforms that improve over time will be a necessary element of democratic governance.
- With increasing reliance on digital existence and identity protection of personal information and the safeguarding of information of individuals and citizens held by government will be paramount.

The 4<sup>th</sup> Industrial Revolution will impact on the nature of national and international security

- The digital platforms connected through the internet are by their very nature international in scope. Access to national and regional networks and as a result regional economic activities will be a key feature that requires highest standards of protection from cyber crime and other cyber security threats.

- The control and safeguarding of the internet will become one of the foremost requirements as individual countries rely on the internet and digital platforms for their mission critical systems, defence, industry and the delivery of services to the public.
- International corroboration will be required to establish the minimum standards and procedures for the operation of the internet and digital platforms.

The most important aspect of this discussion is that we should place people at the centre of whatever we do to adapt to the 4th Industrial Revolution and the technological changes that drive it. This is not a discussion about technology for the sake of technology. This is a discussion of how we use technology to improve the standards of living of our people, to deliver better and more efficient services to meet their needs and to open up avenues for them to reach their human potential. It is a discussion about how we empower our citizens to embrace the opportunities brought by this revolution while minimizing its negative side effects. Quite evidently, people need to be skilled to participate in the Fourth Industrial Revolution as users of the technologies and most importantly, as creators of technologies that will improve our lives and better our society.

#### **6.1.1. Sector Plans Objectives**

- The sector plans will underpin joint sector implementation involving government, the business community and social partners.
- Sector Plans will detail how each sector of society or the economy will infuse technology to deliver public, commercial and community services,
- Sector plans will promote growth, employment and reskilling of the current workforce
- Sector plans will plan for the development of the future digital human resources capacity, develop, promote and adapt South African ICT products and services,
- Sector plans will outline measurable procurement strategies for services from the SMME and youth sectors.
- Sector plans will provide coordination mechanisms at a sector level to ensure that government, business and communities are aligned. Different government departments will co-ordinate and convene the different sector stakeholders

#### **6.2. e-Commerce and electronic payment systems.**

The development of e-commerce at a global level has been unprecedented since its inception a few years ago. E-commerce is increasingly being viewed as a key competitive advantage of countries and companies. Ease of transaction, convenience, opening domestic and global markets and significantly decreased overheads make the e-commerce solution particularly well adopted to the increasingly networked world. It is because of these advantages that many governments are investing in broadband infrastructure, evaluating the legal and technical frameworks that will enable e-commerce and

encourage citizens and businesses to transact using computer technology and the internet.

Electronic commerce promises to be a key feature of doing business in the next decades, more so under the 4th industrial revolution, and therefore a generator of jobs, economic growth.

South African e-commerce background, successful areas and volumes South African challenges.

### **6.2.1. Critical Success factors**

The critical factors that drive the uptake of e-commerce include.

- Government creating an enabling policy and regulatory environment. Of importance is the review of the national legislation to enable online activities and the recognition of identity, verification and contracting that happens online to be equivalent and equally protected like the traditional forms.
- A tax regime that is adapted to e-commerce
- National payment system that is accessible to all. Accessibility of credit cards one of the many limiting factors in the wide spread adoption and use of e-commerce
- The availability of broadband infrastructure and affordable internet
- Availability of and supply of skilled people capable of planning and managing technological innovations
- The ability of ordinary citizens to transact on line as a result of their comfort in ICT and computer skills
- Trust engendered by security measures to secure personal information, identities and consumer protection. Government taking a pro-active role to address market inefficiencies, awareness of e-commerce threats
- The deployment of the e-strategies in the public sector that serves to demystify the online environment.
- Partnerships between government, industry, business capable of addressing any emerging obstacles and challenges
- Building trust and confidence in the secure use of ICTs.

### **6.2.2. Strategic Pillars and Key Interventions**

The following pillars will drive key interventions:

#### **6.2.2.1. Supportive and responsive policy and regulatory environment**

- Review of the laws supporting e-commerce to remove legal and regulatory barriers
- The development of Digital Identity Framework and standards
- Privacy Framework
- Consumer protection Framework
- Digital Signature and Electronic Document Framework
- Technology Neutral taxation Framework

#### **6.2.2.2.SMME Development**

- Technical support for e-commerce business strategies and practices
- Technical support by developing trade portals, virtual tradeshows and cyber trade websites
- Technical training of SMMEs

#### **6.2.2.3.Building consumer trust**

- Privacy Framework
- Implementing Cybercrime and Cybersecurity legislation
- Protection of Personal information Framework
- Cyber security and threats awareness campaigns

#### **6.2.2.4.Promotion of ICT Skills**

- ICT skills programme for children and teachers
- ICT e-learning
- Public Awareness Campaigns

#### **6.2.2.5.South African e-commerce platform and Digital Content**

- Position Post Office as the e-commerce hub regional hub in partnership with other Post offices
- Development of a South African e-commerce trading platform
- Development of South African e-payment system
- South African Digital Content

### **6.3. A roadmap towards smart cities**

The advent of broadband and related innovations have also ushered new opportunities for cities and communities in general to innovate the way they provide services such as electricity and transport to their citizens. These ICT driven delivery mechanisms are generally referred to as smart cities or generally smart communities. In South Africa, some of the metros that have made some strides to rollout broadband are considering ways of introducing smart cities, which will help with the creation of local best case experiences in South Africa.

There is no doubt however that given the disparities between the metros and other underserved areas there is a likelihood that some areas will not benefit from the new innovations unless government as a whole (working with other stakeholders) takes tangible actions to ensure that by 2030 all South Africans live in smart communities of one kind or another.

Government has a responsibility of coordinating the drive towards the smart communities by inter alia introducing guidelines for smart cities and assisting municipalities especially in rural areas to also adopt the new innovations. Importantly, the advent of smart cities must not impose undue burdens on small municipalities. Instead, the smart communities' interventions must be

introduced within the auspices of the current work on the IDPs. ICTs should be tools to enable the implementation of government's social and economic plans to empower citizens.

#### **6.4. Fast-tracking the roll-out of broadband infrastructure**

Cabinet approved the South African Broadband Strategy and Plan in 2013.

##### **6.4.1. Objectives of the Broadband Strategy and Plan**

- Affordable broadband available nationally, to meet the diverse needs of public and private users
- Policy and regulatory conditions enabling public and private sector players to invest and contribute to reaching national targets
- Effective public sector delivery, including e-government services, underpinned by aggregation of broadband needs
- That all public institutions at national, provincial and municipal level benefit from broadband connectivity
- The development of a strong national skills base
- Vibrant and creative software industry
- A literate and skilled citizenship

##### **6.4.2. Fast tracking Implementation**

Government recognizes the critical link between the telecommunications and postal market reform and the widespread use of ICTs for economic and social development. Greater ICT use for development depend not only on the availability of the infrastructure and services but importantly on the affordability of the services. The development of the telecommunications and postal infrastructure therefore plays an important role in facilitating the use of ICTs for service delivery and the addressing societal problems.

Cabinet adopted the SA Connect Policy for broadband rollout and allocated resources for the pilot programme at 8 NHI sites. This project though seeks to ensure that 45 thousand-government office, schools, clinics, municipal offices are connected to the broadband infrastructure by 2020. The aggregation of government demand and the roll-out of broadband infrastructure to reach the government sites will bring this critical infrastructure to the reach of communities that do not enjoy broadband connectivity.

The Strategy will also entail the rollout of Wi-Fi –spots in all municipalities to offer digital connections to youth and students, people with disability and the smmes. As part of the Broadband Roll Out programme government will provide institutional support for planning to turn all communities into SMART Communities.



## **7. Develop comprehensive programmes to counter cybersecurity threats and secure critical South African infrastructure, government and citizens.**

The threats of crimes and attacks emanating from the internet and the online environment were discussed in relation to the need for government to safeguard the e-government environment in order to build trust and confidence. Considerations of critical factors that will see e-government succeed are similar to considerations that will see South Africans using the ICTs in general.

Many countries are setting up national cybersecurity strategies to protect themselves, their economies and critical infrastructure. These strategies are multifaceted and include measures for cybersecurity standard settings, cybersecurity coordination, the assessment of national security threats, measures to combat crime and facilitate information sharing.

Cabinet adopted the National Cybersecurity Framework that outlines roles and responsibilities of the different actors within the state sector as well as providing for collaboration between government and the private sector.

Despite the adoption of the National Cybersecurity Framework there are gaps that still require attention for a successful prevention, detection and dealing with the emerging threats.

The biggest gap centres on the fact there is no dedicated cybersecurity policy in South Africa and cybercrimes are tackled by different pieces of legislation. The cybercrime policy should develop mechanisms to deal with mechanisms to counter cybercrime trends, establish obligations to cooperate with law enforcement agencies by intermediaries and simplify how online offences could be dealt with in one piece of legislation. The dedicated cybersecurity policy will also deal with legal principles to address cybersecurity challenges in the areas of new technologies like cloud computing, mobile computing and social media.

The protection of critical infrastructure is a key part of the cybersecurity strategies. Critical infrastructure includes infrastructure that is target for potential attack with risk of economic crisis, social paralysis, ecological disasters or major service denial. Critical infrastructure would include telecommunications networks, electric power networks, nuclear power plants, industrial complexes and military installations. Specific guidance on how to protect such infrastructure are required in order to proactively mitigate against such threats. Sector strategies for safeguarding critical infrastructure are essential.

Cybersecurity strategies rely on collaboration between different partners to ensure that different sectors have the capacity to deal with emerging risks and vulnerabilities, develop coordinated early warning and response, incident management. The Computer Emergency Response Teams and the Computer Security Incidents response Teams are critical. There is a need for the development of public response teams and coordination between the public and private response teams.

The e-strategy will focus on:

- Review of the different policies to develop a dedicated cybercrime policy of South Africa
- Establishment of guidelines to protect critical government communications infrastructure and telecommunications networks
- Establishment of the Public Computer Response Teams and coordination with private sector response teams
- Review and development of a national framework for the coordination on cybersecurity

## 8. National e-Strategy Implementation Framework

This action plan of the National e-Strategy framework focuses on the work that needs to be done over a three year period from 2017/18 to 2019/20. This approach is informed by the need to engage stakeholders such as municipalities to lead in the development of strategies and plans relevant to their area of work. It is envisaged that the implementation of all the tasks outlined in this National e-Strategy Framework will enable South Africa to reap the benefits of the digital economy and knowledge society by 2030.

FOCUS AREA	TARGET/outcome	ROADMAP	ROLE PLAYERS
<b>4<sup>th</sup> Industrial Revolution Action Plan</b>	Development of the 4 <sup>th</sup> Industrial Revolution Action Plan 2030.	Develop the terms of reference for the 4 <sup>th</sup> Industrial Revolution Working Group comprising all stakeholders to development of the Action Plan.	Government, academia, andustry, civil society, labour.
		Establish the Working Group on the 4 <sup>th</sup> Industrial Revolution.	
		Develop the National Action Plan on the 4 <sup>th</sup> Revolution by 2019.	
<b>An enabling environment</b>	Ensure 100% access to high speed broadband coverage.	Implement the 1 <sup>st</sup> and second phase of the SA Connect, commencing in 2017/18 financial year.	National government, provinces, municipalities, state owned entities, developmental financial institutions and the private sector.



	Enhance Digital literacy.	Introduce basic online ICT training courses targeting young people throughout the country with emphasis on the Internet of Things commencing in 2018/19.	Department of Telecommunications, Department of Education, Department of Higher Education, Department of Labour, Department of Higher Education and Training, non governmental institutions and the private sector.
		Make ICT compulsory in schools and TVETs by 2019/20.	
	Cybersecurity and awareness.	Develop a partnership communications and awareness programme involving government, civil society and the private sector in 2018/19.	Department of Telecommunications and Postal Services, State Security Agency, South African Police Services, SA Post Office and the industry.
		Capacitate the cyber-security Hub with a full skills complement by 2018/19.	
		Capacitate the ICT Trust Centre by 2020.	
	Accelerate Research and Innovation.	Establish the National ICT RDI Planning and Investment Council in line with the ICT Policy by 2018/19.	Department of Science and Technology, Department of Telecommunications and Postal Services, Department of Trade and Industry, Research Councils, academic institutions.
		Launch a comprehensive research agenda and action plan that also focuses on local innovations involving SMMEs.	

		Introduce financial instruments to support grassroots and SMMEs innovations.	
<b>e-Government</b>	Reassert the role of government as a model user of ICTs through the rollout of e-government to improve the quality of services delivered to the citizens.	Develop a National e-Government Strategy and Roadmap.	Department of Telecommunications and Postal Services, Department of Public Service and Administration, other departments, State Information Technology Agency.
		Introduction of the Forum of DG's Coordinating Committee and working committees on e-government.	FOSAD
		Development of an e-government action plan in 2017/18.	Department of Telecommunications and Postal Services, Department of Public Service and Administration, national, provincial and local governments, SITA.
		Development a central e-government services portal in 2018/19.	SITA, Department of Telecommunications and Postal Services, Department of Public Service and Administration, national, provincial and local governments.
		Implementation of e-government pilots targeting key priority areas such as education, health and safety and security in 2018/19.	
		Development of an Government Open Data Framework in 2018/19.	SITA
		Establish common service centres in	Government, SITA

		rural areas and townships to deliver e-services	
		Establish a capacity building program to develop skills in government and for citizens to use e-services.	Department of Public Service and Administration, Department of Telecommunications and Postal Services, SITA.
<b>Sectoral eStrategies:</b> <ul style="list-style-type: none"> <li>• Health</li> <li>• Education</li> <li>• Safety</li> <li>• Economic sectors</li> </ul>	All sectors of the economy led by government should develop and implement e-Strategies.	Develop sector specific e-strategies to enhance the uptake and usage of ICTs across the social and economic sectors by 2019/20.	National departments, provinces and municipalities.
<b>e-Commerce</b>	Development of e-commerce to stimulate SMME development and economic inclusion and empowerment in the ICT sector	Restructuring of the SA Post Office as a hub for e-commerce in South Africa and the region in 2018/19.	SA Post Office
		Develop an e-commerce gateway platform that should position South Africa as the hub of e-commerce in the country and the region.	
<b>Smart cities and communities</b>	Introduce a smart cities and communities initiative.	Develop a smart city National Guideline to deliver innovative, excellent and integrated public services that encourages creative service delivery in 2019/20.	Metros, local municipalities, districts and provinces.
		Establish Digital Technology Hubs in all provinces to drive	

		innovation at local levels by 2019/2020.	
<b>Governance and Coordination Mechanism</b>	Establishment of the Digital Transformation Inter-Ministerial Committee as the oversee the implementation of the e-strategy and e-government strategies.	Development of the terms of references for the Digital Transformation Inter-Ministerial Committee in 2018/19.	The Presidency, Department of Telecommunications and Postal Services, National Treasury, economic cluster.
		Establishment the Digital Transformation Inter-Ministerial Committee in 2018/19.	
		Formation of the Committee of Directors-General on e-government and the multi-sector Working Group on the 4 <sup>th</sup> Industrial Revolution in 2018/19.	

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**GENERAL NOTICES • ALGEMENE KENNISGEWINGS**

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**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES****NOTICE 278 OF 2017**

**National Agricultural  
Marketing Council**  
Promoting market access for South African agriculture

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**WINE INDUSTRY  
APPLICATION FOR THE CONTINUATION OF STATUTORY MEASURES**

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**NAMC REQUESTING COMMENTS / INPUTS FROM INDUSTRY ROLE PLAYERS**

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On 27 March 2017, the Minister of Agriculture, Forestry and Fisheries received a request from the wine industry, in terms of the Marketing of Agricultural Products Act (MAP Act), Act No 47 of 1996, for the continuation of the statutory measures (registration, records & returns and levies) in the wine industry.

The applicants for the proposed continuation of the statutory measures are SALBA (South African Liquor Brand owners' Association), and VinPro, who respectively represents wine traders, wine grape producers and wine cellars. The applicants therefore, represents the payers of the wine statutory levy.

Currently, the following statutory measures are applicable in the wine industry and will expire on 31 December 2017:

- Registration;
- Records & Returns; and
- Levies
  - o Information levy;
  - o Research and development levy (R&D levy);
  - o Wine export generic promotion levy (Export levy); and
  - o Empowerment and transformation levy (Transformation levy).

Furthermore, it is proposed that the new statutory measures be implemented for a new four year term from date of publication (1 January 2018) to 31 December 2021.

It is proposed that the following Non Profit Companies namely 1) SAWIS (SA Wine Industry Information and Systems); 2) WINETECH (Wine Industry Network of Expertise and Technology); 3) WOSA (Wines of South Africa) and 4) Transformation Unit (SA Wine Industry Transformation Unit) continue to be responsible for the implementation of the requested statutory measures.

The purpose and objective of the statutory measures in the wine industry are as follows:

- **Registration and Records & Returns.**

To ensure that continuous, timeous and accurate information is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions. By combining compulsory registration with the keeping of information and the rendering of returns on an individual basis, market information for the whole of the industry can be processed and disseminated and will form the basis for the collection of levies. SAWIS will be responsible in this regard.

- Payment of the **statutory levy amount** for the funding of the following functions in the wine industry, namely:

• Information levy

To fund the continued implementation, administration and enforcement of the statutory measures relating to registration and records & returns and to fund the processing, auditing, verification and dissemination of information. This levy will also be used for the continued running of the wine industry library and facilitating market research.

• R&D levy

To co-ordinate and fund research and development, innovation training, technology and knowledge transfer in the wine industry.

• Export levy

To generically promote SA wines on selected export markets and to improve the efficiency of the export process.

• Transformation levy

To continue to facilitate social and economic development and transformation in the wine industry through programmes such as economic empowerment and development, social development and upliftment and human resource development and training in support of broad based Black Economic Empowerment.

**It should be noted that a product is levied once only per levy, for example, if grapes intended for the production of wine was levied for the information levy, it will not be levied in another format (such as packaged wine) again for the information levy.**

The following levy amounts are proposed:

	Research and Development levy	Information levy	Transformation levy	Export levy
<b>Grapes intended for the production of wine</b>	(currently 21,14)	(currently 13,23)	(currently 2,80)	-
Rand per ton	2018: 22,33 2019: 23,59 2020: 24,92 2021: 26,32	2018: 13,93 2019: 14,70 2020: 15,54 2021: 16,38	2018: 3,01 2019: 3,22 2020: 3,43 2021: 3,64	
<b>Grape juice concentrate intended for use in wine at 17.4 degrees Balling</b>	(currently 3,02)	(currently 1,89)	(currently 0,40)	-
cents per litre	2018: 3,19 2019: 3,37 2020: 3,56 2021: 3,76	2018: 1,99 2019: 2,10 2020: 2,22 2021: 2,34	2018: 0,43 2019: 0,46 2020: 0,49 2021: 0,52	
<b>Bulk drinking wine</b>	(currently 3,02)	(currently 1,89)	(currently 0,40)	(currently 10,47)
cents per litre	2018: 3,19 2019: 3,37 2020: 3,56 2021: 3,76	2018: 1,99 2019: 2,10 2020: 2,22 2021: 2,34	2018: 0,43 2019: 0,46 2020: 0,49 2021: 0,52	2018: 11,24 2019: 12,07 2020: 12,96 2021: 13,92

<b>Packaged drinking wine</b>	(currently 3,02)	(currently 1,89)	(currently 0,40)	(currently 13,20)
cents per litre	2018: 3,19 2019: 3,37 2020: 3,56 2021: 3,76	2018: 1,99 2019: 2,10 2020: 2,22 2021: 2,34	2018: 0,43 2019: 0,46 2020: 0,49 2021: 0,52	2018: 14,18 2019: 15,24 2020: 16,38 2021: 17,61
<b>Distilling wine</b> or wine spirit at 10% alcohol per volume	(currently 2,60)	-	-	-
cents per litre	2018: 2,74 2019: 2,89 2020: 3,05 2021: 3,22			

The MAP Act stipulates that a statutory levy may not exceed 5% of the price realised for a specific agricultural product at the first point of sale. The maximum of 5% must be based on a guideline price calculated as the average price at the first point of sale over a period not exceeding three years. For the proposed statutory levies the guideline price varies between 0,94% (grapes intended for production of wine) and 3,41% (bulk drinking wine).

The NAMC believes that the continuation of the proposed statutory measures is consistent with the objectives of the MAP Act (as set out in section 2 of the Act).

Directly affected groups (e.g. wine producers, wine traders, wine spirit producer, and exporters of drinking wine) in the wine industry are kindly requested to submit any comments, in writing, regarding the proposed statutory measures, to Mathilda van der Walt ([mathilda@namc.co.za](mailto:mathilda@namc.co.za) and or fax 086 552 1572) on or before 5 May 2017, to enable the NAMC to finalise its recommendation to the Minister in this regard.

**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES****NOTICE 279 OF 2017****PPECB - BOARD NOTICE****PERISHABLE PRODUCTS EXPORT CONTROL BOARD****IMPOSITION OF LEVIES ON PERISHABLE PRODUCTS**

In terms of section 17(i) of the Perishable Products Export Control Act, 1983 (Act No.9 of 1983), the Board hereby imposes the following levies and tariffs, in respect of each of the under mentioned perishable products, as defined in section 1 (i) of the above mentioned Act, which may be exported from the Republic of South Africa. These levies will be valid from 1 April 2017 until further notice.

**SEA LEVIES**

Conventional (break-bulk)	R 16.00 per pallet
Conventional - Under Cold Treatment Protocols	R 30.50 per pallet
RMT loading/off-loading	R 14.50 per pallet
Containerised harbour	R 451.00 per container
Containerised inland	R 582.50 per container
Containerised - Under Cold Treatment Protocols	R 866.00 per container
Containerised at two loading points	R1 158.00 per container
Products exported by air	R 0.03 per kilogram
After hour callouts (see definition under HOUR rates)	Hour and kilometre rates as listed

- All levies by kilogram will be based on gross weight.

**CONTAINER INSPECTION LEVIES**

	<u>Week-days</u>	<u>After Hours/Weekends/ Public Holidays</u>
Cleanliness inspection	R21.95 per unit	R43.85 per unit
Technical inspection	R21.95 per unit	R43.85 per unit
Full inspection	R43.85 per unit	R87.75 per unit
After hour callouts (see definition under HOUR rates)	Hour and kilometre rates as listed or Weekend rates as above	

- In all instances where a service is delivered and unit rates are not sufficient to cover costs, PPECB will retain the right to, at its discretion, charge hour and or kilometre rates as listed instead of or in addition to the published fees above. For administrative purposes hour and kilometre rates may be adapted to an equivalent tariff per unit.

**OTHER LEVIES**

The fees listed below exclude any travelling; freight and incidental costs, which will be charged for separately.

Calibration of vessel temperature recording equipment	R14 950 per vessel (depending on number of cooling compartments)
Inspection and registration of Refrigerated Road Motor Transport	R650. per vehicle (depending on structure of vehicle)
Stuffing reports	R265.50 per request
Redo of special shipment documentation	R648 per request
Inspection and registration of RMT's & Cold Stores	R648 per RMT/Cold store
Calibration of on-board container data loggers and portable data loggers for use in sterilisation shipments	R83.00 per calibration
Temperature monitoring probes for conventional shipments	R230 per probe
Administration fee for document retrieval	R230 per retrieval and/or hour rates as listed
Food Safety Certification Audit	R4,200 per audit
Handling fee for residue samples	R80.00
MRL Sample fee	R615 per sample
Sealing hatches; Post harvest claims; Grading Audits	Hour and kilometre rates as listed
Orchard inspection for special markets	R201.00 per 30 minutes or part thereof including travelling/orchards
Issuing of phytosanitary certificate for the citrus EU programme	R201.00 per certificate



- In all instances where a service is delivered and unit rates are not sufficient to cover costs, PPECB will retain the right to, at its discretion, charge hour and or kilometre rates as listed instead of or in addition to the published fees above. For administrative purposes hour and kilometre rates may be adapted to an equivalent tariff per unit.
- Actual courier cost recovery (will vary depending on location)

#### AGRICULTURAL PRODUCT STANDARDS

In terms of section 17(i) of the Perishable Products Export Control Act, 1983 (Act No. 9 of 1983), and by virtue of the Board's appointment as Assignee in terms of Regulation 1978 of the Agricultural Products Standards Act, 1990 (Act No. 119 of 1990), the Board hereby imposes the following levies and tariffs in respect of each of the products specified in the tables, which may be exported from the Republic of South Africa. These levies will be valid from 1 April 2017 until further notice.

#### INSPECTION LEVIES (AGRICULTURAL PRODUCT STANDARDS)

##### Products

Avocados (less than 5 kilograms)  
 Avocados (more than 5 kilograms)  
 Aseptically packed  
 Canned products  
 Citrus fruit (less than 5 kilograms)  
 Citrus fruit (more than 5 kilograms)  
 Citrus fruit in bulk bins  
 Concentrates  
 Condensed milk  
 Dairy products  
 Dried fruit  
 Egg products  
 Flowers, bulbs and proteas  
 Fresh vegetables including onions and potatoes  
 Frozen fruit and vegetables  
 Grain and grain products (excluding maize)  
 Grapes (less than 5 kilograms)  
 Grapes (more than 5 kilograms)  
 Groundnuts  
 Litchis  
 Maize inland  
 Maize (bulk loading at harbours)  
 Mangoes (less than 5 kilograms)  
 Mangoes (more than 5 kilograms)  
 Mangoes in bulk bins  
 Meat  
 Melons  
 Other fresh fruit  
 Persimmons (less than 1 kilogram)  
 Persimmons (more than 1 kilogram but less than 5 kilograms)  
 Persimmons (more than 5 kilograms)  
 Pineapples  
 Pome fruit  
 Pome fruit in bulk bins  
 Red tea  
 Stone fruit  
 All other products  
 Inspections on request

##### Inspection Fee

33.10 cents per container in a consignment  
 66.10 cents per container in a consignment  
 0.2764 cent per kg or part thereof in a consignment  
 1.50 cent per kg or part thereof in a consignment  
 26.6 cents per container in a consignment  
 66.7 cents per container in a consignment  
 66.7 cents per 15.2 kilograms or part thereof  
 1.9 cent per kg or part thereof in a consignment  
 7.2 cents per kg or part thereof in a consignment  
 13.9 cents per kg or part thereof in a consignment  
 2.30 cents per kg or part thereof in a consignment  
 11.70 cents per kg or part thereof in a consignment  
 37.20 cents per kg or part thereof in a consignment  
 4.30 cents per kg or part thereof in a consignment  
 1.90 cent per kg or part thereof in a consignment  
 R3.42 per metric ton or part thereof in a consignment  
 68.00 cents per container in a consignment  
 R1.360 per container in a consignment  
 R86.71 per metric ton or part thereof  
 12.10 cents per kg or part thereof in a consignment  
 R3.42 per metric ton or part thereof in a consignment  
 R10.73 per metric ton or part thereof in a consignment  
 55.5 cents per container in a consignment  
 R1.111 per container in a consignment  
 55.5 cents per 4.5 kilograms or part thereof  
 5.42 cents per kg or part thereof in a consignment  
 54.0 cents per container in a consignment  
 54.2 cents per container in a consignment  
 12.2 cents per container in a consignment  
 30.5 cents per container in a consignment  
 55.0 cents per container in a consignment  
 62.1 cents per container in a consignment  
 64.5 cents per container in a consignment  
 64.5 cents per 12.5 kilograms or part thereof  
 10.20 cents per kg or part thereof in a consignment  
 60.6 cents per container in a consignment  
 Hour and kilometre rates as listed  
 Published inspection levy and/or hour and kilometre rates as listed

- In all instances where a service is delivered and unit rates are not sufficient to cover costs, PPECB will retain the right to, at its discretion, charge hour and or kilometre rates as listed instead of or in addition to the published fees above. For administrative purposes hour and kilometre rates may be adapted to an equivalent tariff per unit.

**HOURLY AND KILOMETRE RATES**

	<u>Rate per hour</u>
Normal Time (8 am to 5 pm weekdays)	R620 per hour
Normal Overtime	R680 per hour
Sundays & Public holidays	R760 per hour
Kilometre rate	R5.30 per kilometre

- Above rates will be valid from 1 April 2017 until further notice.
- In all instances where a service is delivered and unit rates are not sufficient to cover costs, PPECB will retain the right to, at its discretion, charge hour and or kilometre rates as listed above instead of or in addition to the published fees. For administrative purposes hour and kilometre rates may be adapted to an equivalent tariff per unit.
- Where hourly rates are charged, a minimum fee for a one hour call out will be charged. Thereafter time will be charged in half hour segments ie R310 per half hour or part thereof. The same principle will be applied to overtime and Sunday time.
- After hour callouts are defined as all callouts made outside Normal Time (8am to 5pm weekdays) and will be charged for at the Normal Overtime or Sunday & Public holiday hour rate.

**LABORATORY FEES****ISO 17025 ACCREDITED METHODS****Mycotoxin analysis using HPLC methods**

	<b>Fee</b>
AFLATOXIN B/G Statutory levy: Groundnuts 10kg (Extra charge for Sample handling - R42.50 and Transport - R42.50)	R1,015.00
AFLATOXIN B/G: Nuts, spices, dried fruit, cereals, feeds - (Minimum of 250g sample required)	R1,065.00
AFLATOXIN B/G: Groundnuts 10kg - (Extra charge for Sample handling - R42.50 and Transport - R42.50)	R1,065.00
OCHRATOXIN 'A': Wines, nuts, spices, dried fruit, cereals, feeds - (Minimum of 250g sample required)	R1,065.00
ZEARALENONE: Cereals, pet foods, feeds - (Minimum of 250g sample required)	R1,065.00
AFLATOXIN M1: Milk and milk powder - (Minimum of 100ml or 100g required)	R1,065.00
FUMONISIN: Food, feed, cereals - (Minimum of 250g sample required)	R1,179.70
PATULIN: Apples, apple juice, apple puree - (Minimum of 100ml or 100g required)	R1,065.00

**Fats analysis**

FREE FATTY ACIDS: Fats, oilseeds, nuts, cereals, pet foods - (Minimum of 500g sample required)	R 500.00
PEROXIDE VALUE: Fats, oilseeds, nuts, cereals, pet foods - (Minimum of 500g sample required)	R 500.00

**NON ACCREDITED METHODS**

MOISTURE CONTENT: Oilseeds, nuts - (Minimum of 50 sample required)	R514.00
ANISIDINE VALUE: Fats, oilseeds, nuts, cereal, pet foods - (Minimum of 500g sample required)	R514.00

**Pesticide testing**

MRL: GROUNDNUTS - (Minimum of 500g required)	R1,203.00
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**Dairy analyses**

FAT % (GERBER): Milk, sweetened condensed milk - (Minimum of 500ml required)	R 147.00
FAT % (GERBER): Unsweetened condensed milk - (Minimum of 250ml required)	R 114.00
FAT % (GERBER): Yoghurt - (Minimum of 250ml required)	R 186.00
FAT % (GERBER): Cream - (Minimum of 250ml required)	R 113.00

FAT % (BABCOCK): Cream - (Minimum of 250ml required)	R 147.00
FAT % (TEICHERT) - Dairy powder - (Minimum of 250g required)	R 186.00
FAT % (VAN GULIK): Cheese - (Minimum of 250g required)	R 286.00

**Dairy analyses (continued)**

FAT % (KOHMAN): Butter - (Minimum of 250g required)	R 78.00
SALT (KOHMAN): Butter - (Minimum of 250g required)	R 213.00
MOISTURE: Milk, cream, primary cultured milk products, yoghurt - (Minimum of 250ml required)	R 40.00
MOISTURE: Cheese - (Minimum of 250g required)	R 100.00
MOISTURE: Condensed milk - (Sweetened and Unsweetened, Minimum of 250ml required)	R 80.00
PHOSPHATASE: Milk - (Minimum of 250ml required)	R 147.00
PROTEIN ANALYSIS: Milk - (Minimum of 50ml required)	R 471.00
FREEZING POINT: Milk - 1st sample - (Minimum of 250ml required)	R 285.00
FREEZING POINT: Milk - additional samples - (Minimum of 250ml required)	R 39.00
pH: Milk, cream - 1st sample - (Minimum of 250ml required)	R 114.00
pH: Milk, cream - additional samples - (Minimum of 250ml required)	R 39.00

**Fish compliance certification**

Inspector cost: Kilometres - charged per km	R 5.55
Inspector cost: Hours - charged per normal hour (after hour rates to apply outside normal time)	R 619.00
Lab tests (all) - Charged per sample	R 540.00
Certificate: Issue cost	R 303.00
Certificate: Courier cost	R 117.00
Salmonella: Charged per sample	R 105.00

- All laboratory fees listed above will be valid from 1 April 2017 until further notice.

**GENERAL**

All charges referred to in this document exclude VAT of 14%.

(Updated 23/03/2017)

**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES****NOTICE 280 OF 2017****PPECB - BOARD NOTICE****PERISHABLE PRODUCTS EXPORT CONTROL BOARD****IMPOSITION OF LEVIES ON PERISHABLE PRODUCTS**

In terms of section 17(i) of the Perishable Products Export Control Act, 1983 (Act No.9 of 1983), the Board hereby imposes the following levies and tariffs, in respect of each of the under mentioned perishable products, as defined in section 1 (i) of the above mentioned Act, which may be exported from the Republic of South Africa.

These levies will be valid from 1 April 2017 until further notice.

**SEA LEVIES**

Conventional (break-bulk)	R 16.00 per pallet
Conventional - Under Cold Treatment Protocols	R 30.50 per pallet
RMT loading/off-loading	R 14.50 per pallet
Containerised harbour	R 451.00 per container
Containerised inland	R 582.50 per container
Containerised - Under Cold Treatment Protocols	R 866.00 per container
Containerised at two loading points	R1 158.00 per container
Products exported by air	R 0.03 per kilogram
After hour callouts (see definition under HOUR rates)	Hour and kilometre rates as listed

- All levies by kilogram will be based on gross weight.

**CONTAINER INSPECTION LEVIES**

	<u>Week-days</u>	<u>After Hours/Weekends/ Public Holidays</u>
Cleanliness inspection	R21.95 per unit	R43.85 per unit
Technical inspection	R21.95 per unit	R43.85 per unit
Full inspection	R43.85 per unit	R87.75 per unit
After hour callouts (see definition under HOUR rates)	Hour and kilometre rates as listed or Weekend rates as above	

- In all instances where a service is delivered and unit rates are not sufficient to cover costs, PPECB will retain the right to, at its discretion, charge hour and or kilometre rates as listed instead of or in addition to the published fees above. For administrative purposes hour and kilometre rates may be adapted to an equivalent tariff per unit.

**OTHER LEVIES**

The fees listed below exclude any travelling; freight and incidental costs, which will be charged for separately.

Calibration of vessel temperature recording equipment	R14 950 per vessel (depending on number of cooling compartments)
Inspection and registration of Refrigerated Road Motor Transport	R650. per vehicle (depending on structure of vehicle)
Stuffing reports	R265.50 per request
Redo of special shipment documentation	R648 per request
Inspection and registration of RMT's & Cold Stores	R648 per RMT/Cold store
Calibration of on-board container data loggers and portable data loggers for use in sterilisation shipments	R83.00 per calibration
Temperature monitoring probes for conventional shipments	R230 per probe
Administration fee for document retrieval	R230 per retrieval and/or hour rates as listed
Food Safety Certification Audit	R4,200 per audit
Handling fee for residue samples	R80.00
MRL Sample fee	R615 per sample
Sealing hatches; Post harvest claims; Grading Audits	Hour and kilometre rates as listed
Orchard inspection for special markets	R201.00 per 30 minutes or part thereof including travelling/orchards
Issuing of phytosanitary certificate for the citrus EU programme	R201.00 per certificate

- In all instances where a service is delivered and unit rates are not sufficient to cover costs, PPECB will retain the right to, at its discretion, charge hour and or kilometre rates as listed instead of or in addition to the published fees above. For administrative purposes hour and kilometre rates may be adapted to an equivalent tariff per unit.
- Actual courier cost recovery (will vary depending on location)

#### AGRICULTURAL PRODUCT STANDARDS

In terms of section 17(i) of the Perishable Products Export Control Act, 1983 (Act No. 9 of 1983), and by virtue of the Board's appointment as Assignee in terms of Regulation 1978 of the Agricultural Products Standards Act, 1990 (Act No. 119 of 1990), the Board hereby imposes the following levies and tariffs in respect of each of the products specified in the tables, which may be exported from the Republic of South Africa. These levies will be valid from 1 April 2017 until further notice.

#### INSPECTION LEVIES (AGRICULTURAL PRODUCT STANDARDS)

##### Products

Avocados (less than 5 kilograms)  
 Avocados (more than 5 kilograms)  
 Aseptically packed  
 Canned products  
 Citrus fruit (less than 5 kilograms)  
 Citrus fruit (more than 5 kilograms)  
 Citrus fruit in bulk bins  
 Concentrates  
 Condensed milk  
 Dairy products  
 Dried fruit  
 Egg products  
 Flowers, bulbs and proteas  
 Fresh vegetables including onions and potatoes  
 Frozen fruit and vegetables  
 Grain and grain products (excluding maize)  
 Grapes (less than 5 kilograms)  
 Grapes (more than 5 kilograms)  
 Groundnuts  
 Litchis  
 Maize inland  
 Maize (bulk loading at harbours)  
 Mangoes (less than 5 kilograms)  
 Mangoes (more than 5 kilograms)  
 Mangoes in bulk bins  
 Meat  
 Melons  
 Other fresh fruit  
 Persimmons (less than 1 kilogram)  
 Persimmons (more than 1 kilogram but less than 5 kilograms)  
 Persimmons (more than 5 kilograms)  
 Pineapples  
 Pome fruit  
 Pome fruit in bulk bins  
 Red tea  
 Stone fruit  
 All other products  
 Inspections on request

##### Inspection Fee

33.10 cents per container in a consignment  
 66.10 cents per container in a consignment  
 0.2764 cent per kg or part thereof in a consignment  
 1.50 cent per kg or part thereof in a consignment  
 26.6 cents per container in a consignment  
 66.7 cents per container in a consignment  
 66.7 cents per 15.2 kilograms or part thereof  
 1.9 cent per kg or part thereof in a consignment  
 7.2 cents per kg or part thereof in a consignment  
 13.9 cents per kg or part thereof in a consignment  
 2.30 cents per kg or part thereof in a consignment  
 11.70 cents per kg or part thereof in a consignment  
 37.20 cents per kg or part thereof in a consignment  
 4.30 cents per kg or part thereof in a consignment  
 1.90 cent per kg or part thereof in a consignment  
 R3.42 per metric ton or part thereof in a consignment  
 68.00 cents per container in a consignment  
 R1.360 per container in a consignment  
 R86.71 per metric ton or part thereof  
 12.10 cents per kg or part thereof in a consignment  
 R3.42 per metric ton or part thereof in a consignment  
 R10.73 per metric ton or part thereof in a consignment  
 55.5 cents per container in a consignment  
 R1.111 per container in a consignment  
 55.5 cents per 4.5 kilograms or part thereof  
 5.42 cents per kg or part thereof in a consignment  
 54.0 cents per container in a consignment  
 54.2 cents per container in a consignment  
 12.2 cents per container in a consignment  
 30.5 cents per container in a consignment  
 55.0 cents per container in a consignment  
 62.1 cents per container in a consignment  
 64.5 cents per container in a consignment  
 64.5 cents per 12.5 kilograms or part thereof  
 10.20 cents per kg or part thereof in a consignment  
 60.6 cents per container in a consignment  
 Hour and kilometre rates as listed  
 Published inspection levy and/or hour and kilometre rates as listed

- In all instances where a service is delivered and unit rates are not sufficient to cover costs, PPECB will retain the right to, at its discretion, charge hour and or kilometre rates as listed instead of or in addition to the published fees above. For administrative purposes hour and kilometre rates may be adapted to an equivalent tariff per unit.

**HOUR AND KILOMETRE RATES**

	<u>Rate per hour</u>
Normal Time (8 am to 5 pm weekdays)	R620 per hour
Normal Overtime	R680 per hour
Sundays & Public holidays	R760 per hour
Kilometre rate	R5.30 per kilometre

- Above rates will be valid from 1 April 2017 until further notice.
- In all instances where a service is delivered and unit rates are not sufficient to cover costs, PPECB will retain the right to, at its discretion, charge hour and or kilometre rates as listed above instead of or in addition to the published fees. For administrative purposes hour and kilometre rates may be adapted to an equivalent tariff per unit.
- Where hourly rates are charged, a minimum fee for a one hour call out will be charged. Thereafter time will be charged in half hour segments ie R310 per half hour or part thereof. The same principle will be applied to overtime and Sunday time.
- After hour callouts are defined as all callouts made outside Normal Time (8am to 5pm weekdays) and will be charged for at the Normal Overtime or Sunday & Public holiday hour rate.

**LABORATORY FEES****ISO 17025 ACCREDITED METHODS****Mycotoxin analysis using HPLC methods**

	<b>Fee</b>
AFLATOXIN B/G Statutory levy: Groundnuts 10kg (Extra charge for Sample handling - R42.50 and Transport - R42.50)	R1,015.00
AFLATOXIN B/G: Nuts, spices, dried fruit, cereals, feeds - (Minimum of 250g sample required)	R1,065.00
AFLATOXIN B/G: Groundnuts 10kg - (Extra charge for Sample handling - R42.50 and Transport - R42.50)	R1,065.00
OCHRATOXIN 'A': Wines, nuts, spices, dried fruit, cereals, feeds - (Minimum of 250g sample required)	R1,065.00
ZEARALENONE: Cereals, pet foods, feeds - (Minimum of 250g sample required)	R1,065.00
AFLATOXIN M1: Milk and milk powder - (Minimum of 100ml or 100g required)	R1,065.00
FUMONISIN: Food, feed, cereals - (Minimum of 250g sample required)	R1,179.70
PATULIN: Apples, apple juice, apple puree - (Minimum of 100ml or 100g required)	R1,065.00

**Fats analysis**

FREE FATTY ACIDS: Fats, oilseeds, nuts, cereals, pet foods - (Minimum of 500g sample required)	R 500.00
PEROXIDE VALUE: Fats, oilseeds, nuts, cereals, pet foods - (Minimum of 500g sample required)	R 500.00

**NON ACCREDITED METHODS**

MOISTURE CONTENT: Oilseeds, nuts - (Minimum of 50 sample required)	R514.00
ANISIDINE VALUE: Fats, oilseeds, nuts, cereal, pet foods - (Minimum of 500g sample required)	R514.00

**Pesticide testing**

MRL: GROUNDNUTS - (Minimum of 500g required)	R1,203.00
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**Dairy analyses**

FAT % (GERBER): Milk, sweetened condensed milk - (Minimum of 500ml required)	R 147.00
FAT % (GERBER): Unsweetened condensed milk - (Minimum of 250ml required)	R 114.00
FAT % (GERBER): Yoghurt - (Minimum of 250ml required)	R 186.00
FAT % (GERBER): Cream - (Minimum of 250ml required)	R 113.00

FAT % (BABCOCK): Cream - (Minimum of 250ml required)	R 147.00
FAT % (TEICHERT) - Dairy powder - (Minimum of 250g required)	R 186.00
FAT % (VAN GULIK): Cheese - (Minimum of 250g required)	R 286.00
<b><u>Dairy analyses (continued)</u></b>	
FAT % (KOHMAN): Butter - (Minimum of 250g required)	R 78.00
SALT (KOHMAN): Butter - (Minimum of 250g required)	R 213.00
MOISTURE: Milk, cream, primary cultured milk products, yoghurt - (Minimum of 250ml required)	R 40.00
MOISTURE: Cheese - (Minimum of 250g required)	R 100.00
MOISTURE: Condensed milk - (Sweetened and Unsweetened, Minimum of 250ml required)	R 80.00
PHOSPHATASE: Milk - (Minimum of 250ml required)	R 147.00
PROTEIN ANALYSIS: Milk - (Minimum of 50ml required)	R 471.00
FREEZING POINT: Milk - 1st sample - (Minimum of 250ml required)	R 285.00
FREEZING POINT: Milk - additional samples - (Minimum of 250ml required)	R 39.00
pH: Milk, cream - 1st sample - (Minimum of 250ml required)	R 114.00
pH: Milk, cream - additional samples - (Minimum of 250ml required)	R 39.00

**Fish compliance certification**

Inspector cost: Kilometres - charged per km	R 5.55
Inspector cost: Hours - charged per normal hour (after hour rates to apply outside normal time)	R 619.00
Lab tests (all) - Charged per sample	R 540.00
Certificate: Issue cost	R 303.00
Certificate: Courier cost	R 117.00
Salmonella: Charged per sample	R 105.00

- All laboratory fees listed above will be valid from 1 April 2017 until further notice.

**GENERAL**

All charges referred to in this document exclude VAT of 14%.

(Updated 23/03/2017)

**DEPARTMENT OF EDUCATION  
NOTICE 281 OF 2017**



Council for Quality Assurance in  
General and Further Education and Training

**POLICY AND CRITERIA FOR THE QUALITY ASSURANCE, ACCREDITATION  
AND MONITORING OF INDEPENDENT SCHOOLS AND PRIVATE  
ASSESSMENT BODIES**

**ISBN: 978-0-9947107-0-3**



## GENERAL AND FURTHER EDUCATION AND TRAINING QUALITY ASSURANCE ("UMALUSI")

GENERAL AND FURTHER EDUCATION AND TRAINING QUALITY ASSURANCE ACT, 2001 (ACT NO. 58 OF 2001)

### APPROVAL OF THE COUNCIL FOR GENERAL AND FURTHER EDUCATION AND TRAINING QUALITY ASSURANCE ("UMALUSI") POLICY AND CRITERIA FOR THE QUALITY ASSURANCE, ACCREDITATION AND MONITORING OF INDEPENDENT SCHOOLS AND PRIVATE ASSESSMENT BODIES

1. I, Professor John David Volmink (Chairperson), hereby, in terms of sections 17A(2)(a) and 23(1) of the *General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)*, and section 27(i) of the *National Qualifications Framework Act, 2008 (Act No. 67 of 2008)*, approve the *General and Further Education and Training Quality Assurance Council ("Umalusi's") Policy and Criteria for the Quality Assurance, Accreditation and Monitoring of Independent Schools and Private Assessment Bodies*.
2. The document referred to in paragraph 1 is available on the Umalusi website: [www.umalusi.org.za](http://www.umalusi.org.za)



PROFESSOR JOHN D VOLMINK  
CHAIRPERSON: UMALUSI COUNCIL  
DATE: 22 FEBRUARY 2017

UMALUSI

37 General van Ryneveld Street

Persequor Technopark

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**ABBREVIATIONS AND ACRONYMS**

GFET	General and Further Education and Training
GFETQSF	General and Further Education and Training Qualifications <u>Sub-Framework</u>
NCS	National Curriculum Statement
NSC	National Senior Certificate
NQF	National Qualifications Framework
QC	Quality Council
SASA	South African Schools Act

## CHAPTER 1

### DEFINITIONS, PURPOSE AND APPLICATION OF THE POLICY FRAMEWORK

The purpose of this glossary is to define the terminology used in developing this policy.

#### 1. Definitions

In this **[document]** policy-

- (a) any word or expression to which a meaning has been assigned in the *National Qualifications Framework Act, 2008 (Act No. 67 of 2008)* and the *General and Further Education and Training Quality Assurance Act 2001, (Act No. 58 of 2001)*, has the same meaning, unless the context indicates otherwise; and
- (b) the singular shall include the plural and *vice versa*-

**“acknowledgement of receipt of application for accreditation”** – means Umalusi has received a completed self-evaluation report from an independent school;

**“accreditation”** – means **the outcome of a quality assurance** process of evaluating-

- (a) a private assessment body to determine whether its capacity, systems, processes and products are of the appropriate quality to deliver valid, reliable, fair and credible assessments and**
- (b) an independent school to determine whether it has, in accordance with the policy and criteria for quality assurance as set out in this policy, the capacity to offer a qualification or programmes leading to a qualification on the General and Further Education and Training Qualifications Sub-framework;**



**“accredited provider”** – means a legally established independent school that has been recognised by Umalusi Council as having the capacity or provisional capacity to offer a qualification or part-qualification registered on the GFETQSF at the required standard;

**“assessment”** - means the process of identifying, gathering and interpreting information about a learner’s achievement in order to-

- (a) assist the learner’s development and improve the process of learning and teaching; and
- (b) evaluate and certify competence in order to ensure qualification credibility. Assessment includes national examinations, end-of-term and/or once-off end-of-year examinations in order to ensure a national standard across providers;

**“assessment body”** - means a juristic body accredited by Umalusi Council to quality assure internal assessment and conduct external examinations, and includes a department of education;

**“certification”** - means the formal recognition by Umalusi Council of a qualification or part qualifications awarded to a successful learner;

**“Council”** – refers to Umalusi, the Quality Council for General and Further Education and Training; as contemplated in the *National Qualifications Framework, 2008 (Act No. 67 of 2008)*, and the *General and Further Education and Training Quality Assurance Act 2001, (Act No. 58 of 2001)*;

**“curriculum”** - means a statement which encompasses three components: intended curriculum, enacted curriculum and assessed curriculum; curriculum framework and CAPS, and means the same as programme;

**“examination centre”** – means an independent school registered by the relevant Provincial Education Department and accredited by Umalusi, and registered by a public or accredited private assessment body as a venue for their candidates to write the National Senior Certificate examination or a centre other than an independent school registered and managed by a private accredited or public assessment body in line with Umalusi’s requirements as a venue for their candidates to write the National Senior Certificate examination;

**“exit point”** - means a point in General and Further Education and Training at which a learner is required to demonstrate competence with a view to obtaining documentary proof of proficiency;

**“external assessment”** - means assessment conducted by a public or accredited private assessment body, the outcomes of which count towards the achievement of a qualification;

**“Further Education and Training”** - means all learning and training programmes leading to qualifications from Levels 2-4 of the National Qualifications Framework (NQF), which levels are above general education and training but below higher education;

**“General Education and Training”** - means all learning and training programmes leading to a qualification on Level 1 of the National Qualifications Framework, which level is below further education and training;

**“General and Further Education and Training Qualifications Sub-Framework”** - means the Sub-framework of the NQF for General and Further Education and Training that is developed and managed by Umalusi;

**“Head of Department”** – means the head of a department responsible for education in a province;

**“independent school”** - means a school registered or deemed registered in terms of *section 46 of the South African Schools Act, 1996 (Act No. 84 of 1996)*;

**“Internal assessment”** – means any assessment, conducted by an education institution, the outcomes of which count towards the achievement of a qualification (*section 1 of the General and Further Education and Training Quality Assurance (Act No. 58 of 2000)*);

**“Letter of intent”** – means the independent school or private assessment body’s indication of its intent to apply for accreditation as contemplated in *paragraphs 11 and 18(2)(a)*;

**“minimum outcomes and standards”** as contemplated in the *National Curriculum Statement, Grades R–12*, published in *Government Gazette No. 34600* of 12 September 2011, and any other policies promulgated by the Minister pertaining to qualifications on the General and Further Education and Training Sub-framework of Qualifications and their provision;

**“Minister”** - means the Minister of Basic Education **[or Minister of Higher Education]**;

**“National Senior Certificate”** as contemplated in the policy **[document]**, *National policy pertaining to the programme and promotion requirements of the National Curriculum Statement, Grades R–12*, published in *Government Gazette No. 34600* of 12 September 2011;

“National Qualification Framework” (NQF) is a comprehensive system approved by the Minister of Higher Education and Training for the classification, registration, publication and articulation of quality-assured national qualifications (*National Qualifications Framework Act, 2008 (Act No. 67 of 2008)*);

“pilot study” – means, within the context of this policy, a small sample study conducted within the jurisdiction of an independent school and private assessment body to be used by Umalusi with the aim of establishing whether these institutions have complied with their respective quality assurance requirements to be awarded accreditation;

“private education institution” as contemplated in the *General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)*;

“processes and procedures for the assessment of learner achievement” as contemplated in the *National Curriculum Statement, Grades R -12*, published in *Government Gazette No. 34600* of 12 September 2011;

“provisional accreditation” - means the granting of accreditation for a limited time to either an independent school or a private assessment body that has applied for accreditation to enable such independent school or private assessment body to comply with the requirements to offer or assess respectively a qualification or programmes leading to a qualification on the *General and Further Education and Training Qualifications Sub-framework*;

“qualification” - means qualifications types and variants as defined on the *General and Further Education and Training Qualifications Sub-Framework*

as contemplated in the *National Qualifications Framework Act, 2008 (Act No. 67 of 2008)*;

**“quality”** – means meeting the set criteria, standards and requirements;

**“quality assurance”** - means the process of measuring, evaluating and reporting on quality against standards, and monitoring for ongoing improvement in the qualification, the curriculum/programme, the assessment, the implementation and delivery of the curriculum/programme and the capacity of the institution or assessment body to offer and/or assess the qualification;

**“Quality Council (QC)”** - means a Quality Council contemplated in *sections 24-27 of the National Qualifications Framework Act, 2008 (Act No. 67 of 2008)*;

**“registered qualification”** - means a qualification registered on the National Qualifications Framework by SAQA in terms of *section 13(1)(h) of the National Qualifications Framework Act, 2008 (Act No. 67 of 2008)*;

**“registered independent school”** – means an independent school registered by the provincial department of education in which the school is located in terms of *section 51 of the South African Schools Act, 1996 (Act No. 84 of 1996)*;

**“registration of an independent school”** – means the process of registration that independent schools must undertake with Provincial Departments of Education in order to operate in South Africa in accordance with the requirements of the Constitution of South Africa and the *South African Schools Act, 1996 (Act No. 84 of 1996)*;

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**“requirements”** - means requirements as outlined in the *National Curriculum Statement, Grades R-12* and requirements established by this policy as determined by Council in respect of the quality assurance of independent schools and assessment bodies;

**“Umalusi”** – means, the Quality Council for General and Further Education and Training established by the *General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)*. In terms of the *National Qualifications Framework Act, 2008 (Act No. 67 of 2008)*, it is tasked to support the achievement of the objectives of the NQF and to develop and manage the General and Further Education and Training Qualifications Sub-Framework.

## 2. Purpose of the policy

1. The *General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)* enables Umalusi to-
  - (1) Develop policy and criteria for the quality assurance, accreditation and monitoring of private education institutions; including independent schools.
  - (2) Develop policy for the accreditation of assessment bodies other than departments of education and to submit it to the Minister for regulation.
  - (3) Monitor private and public assessment bodies in accordance with a set of regulated accreditation criteria.
2. In accordance with *sections 17A(2)(a)-(c), 23(1), 23(2) and 24(1)(b)* of the *General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)*, the aim of this policy is to-



- (1) regulate the process for accreditation of an independent school or private assessment body seeking to offer a qualification registered on the General and Further Education and Training Qualifications Sub-framework through a quality assurance process that may lead to accreditation. The aim is to establish whether such independent school has the capacity to offer and manage the quality of such a qualification and its related curriculum/programme and whether it implements the curriculum and its assessment at the required standard; or whether such private assessment body has the capacity, systems, processes and products of the appropriate quality to deliver valid, reliable, fair and credible assessments and examinations;
- (2) regulate the basis upon which, subject to the outcome of the accreditation process as contemplated in *sub-paragraph 1* above, Umalusi grants accreditation, provisional accreditation, no accreditation, or withdrawal of accreditation to the independent school or private assessment body that has applied for such accreditation;

### **3. Application of the Policy**

- (1) This policy applies to-
  - (1) independent schools which are registered in accordance with the *South African Schools Act, 1996 (Act No. 84 of 1996)* and offer qualifications which are registered on the General and Further Education and Training Qualifications Sub-framework.

- (2) **[Public and]** private assessment bodies that **[manage]** quality assure formal internal assessment and conduct external assessment in accordance with the regulatory framework outlined in the national policies and regulations that govern the qualifications they assess. In the case of the National Senior Certificate these include-

(a) National Curriculum Statement Grades R-12,  
which comprises-

(i) Curriculum and Assessment Policy Statements for all approved subjects listed in the National Curriculum Statement Grades R-12;

(ii) National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R – 12; and

(iii) National Protocol for Assessment Grades R – 12;

(b) Regulations pertaining to the National Curriculum Statement Grades R-12;

(c) National policy pertaining to the conduct, administration and management of the National Senior Certificate examination; and

(d) Regulations pertaining to the Conduct, Administration and Management of assessment for the National Senior Certificate examination.

- (2) In the event of a conflict between the *National Qualifications Framework Act, 2008 (Act No. 67 of 2008)*, the *Higher Education Act, 1997 (Act No 101 of 1997)*, the *Skills Development Act, 1998 (Act No 97 of 1998)* and the *General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)*, the *National Qualifications Framework Act, 2008*, must be given preference.

## CHAPTER 2

### LEGISLATIVE CONTEXT

#### 4. Underpinning Legislation

- (1) The *Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)* and the *South African Schools Act, 1996 (Act No. 84 of 1996)* provides for the establishment of independent schools and public schools. Independent schools are required to register with the relevant provincial department of education.
- (2) The *National Qualifications Framework Act, 2008 (Act No. 67 of 2008)* provides for the establishment of Umalusi as a Quality Council that is responsible for the development and management of a Sub-framework of qualifications at Levels 1-4 of the National Qualifications Framework and the related quality assurance processes. The said *Act* determines that the Quality Council must, in respect of quality assurance within its Sub-framework, be responsible for the following:
  - (a) develop and implement policy for quality assurance;
  - (b) ensure the integrity and credibility of quality assurance; and
  - (c) ensure that quality assurance as is necessary for the Sub-framework is undertaken.
- (3) In order to determine and maintain the standard of qualifications in the General and Further Education and Training Qualifications Sub-framework, Umalusi as Quality Council must ensure the following:
  - (a) qualifications are registered on the National Qualifications Framework, and the General and Further Education and Training Sub-framework;

- (b) education institutions, including independent schools, that offer provision towards the achievement of such qualifications are quality assured and accredited to offer the curriculum/programme that support such qualifications;
  - (c) assessment bodies and systems that externally examine such qualifications are accredited to do so and monitored; and
  - (d) the conduct of national external examinations for qualifications on the sub-framework is monitored and moderated.
- (4) The *General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)* assigns, in terms of *section 23(2)(a)* of the said *Act*, responsibility for the quality assurance of the independent schools and the accreditation to offer the curriculum/programme of a qualification on the General and Further Education and Training Sub-framework to Umalusi.

## 5. Functions assigned to Umalusi

In line with the aim of the *General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)*, namely, to enhance the quality of general and further education and training, Umalusi was established with the purpose of maintaining norms and standards in General and Further Education and Training and as such its mandate is confirmed as follows-

- (1) developing and maintaining a sub-framework of qualifications for General and Further Education and Training;
- (2) quality assurance of all exit point assessment of such qualifications;
- (3) certification of learner achievements;
- (4) accreditation of private assessment bodies; and
- (5) quality assurance of independent schools and accreditation to offer a qualification and its associated curriculum/programme of a

qualification on the General and Further Education and Training  
Sub-framework

- (a) Curriculum in this context means the underpinning policy provided for a qualification to facilitate a more general understanding of its implementation in an educational system and encompasses three components-
- (i) the intended curriculum: the documented curriculum for a qualification that provides a more detailed description in terms of the depth, breadth and level of difficulty and cognitive demand of what is required for the purpose of the qualification to be fulfilled. The Curriculum and Assessment Policy Statements for all approved subjects listed in the *National Curriculum Statement, Grades R–12* form an integral part of the curriculum;
  - (ii) the enacted curriculum: the delivery of the curriculum in an institution which includes leadership and management, the ethos and values , teaching and learning, extra-curricular activities, learner support, institutional performance and the management of quality towards improvement; and
  - (iii) the assessed curriculum: the internal assessment and the external examination of the intended curriculum.
- (b) The curriculum policy and its Curriculum and Assessment Policy Statements for all approved subjects listed in the *National Curriculum Statement, Grades R–12*, provide the information necessary for the enactment of the curriculum in the institution and the necessary framework for assessment.

## 6. Supplementary documents

This policy must be read in conjunction with the following documents-

- (1) the General and Further Education and Training Qualifications Sub-framework, promulgated in *Government Gazette No. 36006* of 14 December 2012, as amended in *Government Gazette No. 36803* of 30 August 2013, and published on 8 September 2014;
- (2) Standard Setting and Quality Assurance of the General and Further Education and Training Qualifications Sub-framework, Umalusi, 2014;
- (3) A Policy for the Management of Qualifications on the General and Further Education and Training Qualifications Framework, a Sub-framework of the National Qualifications Framework;
- (4) policy and guidelines pertaining to the *National Curriculum Statement Grades R-12* which underpins the National Senior Certificate; and any other policy pertaining to a qualification on the General and Further Education and Training Qualifications Framework as applicable.
- (5) other related legislation as appropriate to the various education and training sectors Umalusi is mandated to work in;
- (6) the regulations pertaining to qualifications on the General and Further Education and Training Qualifications Sub-framework that are developed by the Department of Basic Education and promulgated by the Minister on assessment and certification including those that are promulgated by provincial legislatures; and
- (7) any other relevant policies and directives issued by the Council.

### CHAPTER 3

#### QUALIFICATIONS ON THE GENERAL AND FURTHER EDUCATION AND TRAINING QUALIFICATIONS SUB-FRAMEWORK

##### 7. Qualifications on the General and Further Education and Training Qualifications Sub-framework

- (1) In terms of *section 3* of the *National Qualifications Framework Act, 2008 (Act No. 67 of 2008)*, every qualification or part-qualification, offered in the Republic by education institutions, must be registered on the NQF in accordance with the said Act.
- (2) In accordance with the aim of the *National Qualifications Framework Act, 2008, (Act No. 67 of 2008)*, Umalusi's mandate is limited to qualifications and part qualifications which are registered on the Sub-framework of qualifications for General and Further Education and Training at Levels 1-4 of the NQF.
- (3) The qualifications and part-qualifications are used as benchmarks of quality in the education and training system. Standards are embedded in qualifications, their related curricula/programme and assessment requirements, and in the type and extent of knowledge, skills and competence that the learner is expected to acquire as expressed in these documents.



## CHAPTER 4

### QUALITY ASSURANCE OF INDEPENDENT SCHOOLS

#### 8. Quality Assurance Process

(1) Umalusi Council is required to quality assure independent schools which means that such schools are required to participate in a process that measures against standards, the school's capacity to deliver a qualification and its supporting curriculum/programme, and the quality of the implementation of such, at the required standard.

(3) If the institution meets the standards as contemplated in sub-paragraph (1), the institution is accredited to offer the specific qualification registered on the General and Further Education and Training Qualifications Sub-framework.

(4) Continued meeting of the standards, as contemplated in sub-paragraph (1), is monitored for ongoing improvement.

[20. Umalusi may withdraw accreditation if the independent schools if the independent school is found to be non-compliant with the requirements of this policy.]

[21. Quality assurance of independent schools is carried out through processes that include:

(1) expression of interest to seek accreditation to offer a qualification on the sub-framework;

- (2) **self-evaluation by the institution to enhance an internal culture of quality management and ongoing improvement;**
- (3) **A desktop evaluation by Umalusi of the self-evaluation report;**
- (4) **external validation to ensure that the independent schools meet the regulated criteria, national policy and regulations and to ensure a bench marked standard of provision and school improvement;**
- (5) **granting of accreditation or provisional accreditation or no status by Umalusi; and**
- (6) **monitoring to ensure maintenance of standards and continued improvement.]**

## **9. Quality Assurance of Independent Schools**

- (1) The criteria for the accreditation of independent schools, as contemplated in Chapter 6 of this **[document]** policy, are intended to assess, *inter alia* the effectiveness of the implementation of the curriculum/programme of a qualification on the Sub-framework and includes its internal assessment.
- (2) Based on the outcome of the quality assurance process as contemplated in paragraph **2[1](2)** of this **[document]** policy, and subject to the compliance with the criteria for accreditation contemplated in *Chapter 6* of this policy, accreditation may be granted to an independent school by Umalusi.
- (3) Compliance with the criteria for accreditation of independent schools, is determined through a desktop evaluation by Umalusi of a self-evaluation report with supporting evidence provided by the

accreditation applicant. The desktop evaluation is followed up with a verification site visit to the independent school.

- (4) Compliant independent schools are accredited to offer the *National Curriculum Statement, Grades R-12*-leading to a qualification on the General and Further Education and Training Sub-framework of qualifications and the related curriculum/programme **[for a period of seven years]** and are subject to **[biennial]** monitoring to ensure improvement and maintenance of standards.
- (5) Independent schools that are granted provisional accreditation are required to address areas of partial compliance within a period not exceeding **[one year] two years**.
- (6) The official register of accredited independent schools is available on Umalusi's website.

## CHAPTER 5

### THE REGISTRATION AND ACCREDITATION OF INDEPENDENT SCHOOLS

[22. Independent schools are required to obtain interim registration with the Provincial Departments of Education before applying for accreditation with Umalusi. Independent schools that receive interim registration must apply to Umalusi for accreditation within two months after interim registration has been granted by the relevant province. Accreditation is considered within a period of one year after the date of receipt of the application for accreditation. Once an independent school has been accredited Umalusi will recommend it for final registration. Recommendation for final registration is informed by the accreditation of the independent school to offer qualifications registered on the General and Further Education and Training sub-framework of qualifications.]

[23. Provincial Departments of Education are required to register independent schools in accordance with the *Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)* and in terms of section 46(1) of the *South African Schools Act, 1996 (Act No. 84 of 1996)*. Independent schools are only able to operate legally in South Africa subject to registration by the relevant Provincial Department of Education.]

#### **10. Registration process**

(1) Independent schools are only able to operate legally in South Africa subject to registration by the relevant Provincial Department of Education.

- (2) Registration of independent schools in accordance with the Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996) and in terms of section 46(1) of the South African Schools Act, 1996 (Act No. 84 of 1996) by Provincial Departments of Education is a pre-requisite for accreditation by Umalusi.
- (3) Independent schools must, subject to sub-paragraph (2), obtain registration in terms of the conditions as determined by the Provincial Department of Education, before applying for accreditation with Umalusi.

## **11. Accreditation process**

- (1) Independent schools offering a qualification on the General and Further Education and Training Qualifications Sub-framework that received registration, as contemplated in paragraph (10)(1), must apply to Umalusi for accreditation within **one year** after registration.
- (2) Accreditation is considered within a period of **one year** after the date of receipt of the application for accreditation.
- (3) Once an independent school has been informed about the outcome its application for accreditation, Umalusi will advise the Head of Department of the relevant Provincial Department of Education on the outcome of the application of the independent school for accreditation.

## **12. Accreditation process criteria**

Quality assurance of independent schools is carried out through processes that include-

- (1) application for accreditation to offer a qualification on the Sub-framework;
- (2) self-evaluation by the independent school to enhance an internal culture of quality management and ongoing improvement;
- (3) a desktop evaluation of the self-evaluation report;
- (4) external validation to ensure that the independent schools meet the regulated criteria, national policy and regulations and to ensure a bench marked standard of provision and school improvement;
- (5) granting of accreditation or provisional accreditation or no accreditation by Umalusi; and
- (6) periodic monitoring to ensure maintenance of standards and continued improvement.

**13. The conduct of external assessments by independent schools**

- [24. In order for an independent school to conduct external assessments for a qualification on the General and Further Education and Training Sub-framework such a school, besides being registered as a school and accredited to offer a registered qualification, must also be registered as an examination centre with an accredited private assessment body or the state.]
- [25. Independent schools must be accredited to offer a qualification on the General and Further Education and Training Sub-framework of Qualifications before they are registered as examination centres with the relevant public or accredited private assessment bodies. The registration of independent schools as examination centres is determined by the fulfillment of Umalusi's requirements for accreditation and the requirements of the assessment body which is either the state or a private assessment body accredited by Umalusi.]
- [26. Institutions offering the National Senior Certificate or Senior Certificate as a second chance opportunity to unsuccessful Grade 12 learners must ensure that they have been accredited by Umalusi and that their institutions have been registered by the Provincial Departments of Education as independent schools. These institutions must also be registered as examination centres with either an accredited private assessment body or the state.]
- (1) In order for an independent school to conduct external assessments for a qualification on the General and Further Education and Training Sub-framework, such a school must be-

- (a) registered as a school in terms of *Section 46* of the *South African Schools Act, 1996*;
  - (b) accredited by Umalusi to offer a registered qualification; and
  - (c) registered as an examination centre with an accredited private assessment body or the relevant Provincial Education Department.
- (2) Subject to *sub-paragraph (3)*, independent schools must be accredited to offer a qualification on the General and Further Education and Training Sub-framework of Qualifications before they are registered as examination centres with the relevant public or accredited private assessment bodies.
- (3) The registration of independent schools as examination centres is determined by the fulfillment of Umalusi's requirements for accreditation and the requirements of the assessment body which is either the relevant Provincial Education Department or a private assessment body accredited by Umalusi.



## **CHAPTER 6**

### **CRITERIA FOR THE QUALITY ASSURANCE, ACCREDITATION AND MONITORING OF INDEPENDENT SCHOOLS**

#### **14. Minimum standard of compliance for accreditation by independent schools**

The set of criteria for the accreditation of independent schools<sub>1</sub> constitutes the minimum standard that independent schools are expected to comply with. The standard is evaluated in three inter-related areas, namely:

- (1) Input criteria focus on the standard of input factors which include management and leadership, resources and all other enablers of a conducive environment for effective teaching and learning.
- (2) Process criteria are used to assess the effectiveness of internal quality management and standards of curriculum implementation and assessment as well as any other processes that are intended to lead to the achievement of the school's stated goals.
- (3) Output criteria focus on the quality of assessment outcomes or results as well as other indicators of success.

#### **15. Criteria for the accreditation of an independent school to offer a qualification on the General and Further Education and Training Sub-framework**

The criteria for the accreditation of an independent school to offer a qualification on the General and Further Education and Training Sub-framework are as follows-

**(1) Criterion 1: Leadership, management and communication**

- (a) The school's leadership is instructive and provides strategic direction and governance oversight based on acceptable practices.
- (b) The school is sufficiently resourced and sustainable.
- (c) The management strategies, policies and processes are effective in facilitating the achievement of the school's stated objectives and national objectives, and in raising school performance.
- (d) The management leads, monitors and continuously improves the capacity of the school as well as the quality and standard of the implementation and delivery of the curriculum/programme.
- (e) School resource, financial and management records, as well as learner records are comprehensive, authentic and reliable.
- (f) The school leadership and management consult and communicate effectively with all stakeholders in respect of strategic and management related matters.

**(2) Criterion 2: School ethos**

The school gives expression to an ethos that promotes and is not in conflict with the values of the South African Constitution and displays values that reflect the specific character of the school, as articulated in the school's vision and mission statement, with specific attention to safety and discipline as required in the *South African Schools Act, 1996 (Act No. 84 of 1996)*.

**(3) Criterion 3: Teaching and learning**

- (a) The school is professionally staffed to support the qualifications it offers.
- (b) The school implements the curriculum/programme and assessment requirements at the required standard and in accordance with the policy requirements of the qualifications registered on the General and Further Education and Training Qualifications Sub-framework.
- (c) The school provides appropriate learner support.
- (d) The school manages and conducts internal continuous assessment of an acceptable standard and provides developmental feedback to learners.
- (e) Where appropriate, the school is registered as an examination centre that undertakes external assessment in compliance with the directives of the national policy that governs the qualification, policies and directives of Umalusi Council and the relevant assessment body.
- (f) An appropriate and developmental extra-curricular programme is implemented.

**(4) Criterion 4: School Results**

The quality of school performance is evaluated and used to inform continuous improvement in the quality of provision with specific reference to the quality of learner achievements and assessment outcomes, and stakeholder satisfaction levels.

## CHAPTER 7

### QUALITY ASSURANCE OF PRIVATE ASSESSMENT BODIES

#### **16. Accreditation requirement**

- (1) In terms of *section 17A(2)(a)* of the *General and Further Education and Training Quality Assurance Act, 2001 (Act No. No. 58 of 2001)*, the Council must develop policy for the accreditation of assessment bodies other than the departments of education for Ministerial approval.
- (2) Subsequent to *paragraph 16(1)* above, the Minister must in terms of *section 17A(2)(b)* of the said *Act* make regulations in which the policy for accreditation is set out and in accordance with these regulations the Council must accredit a private assessment body.

#### **17. Accreditation status**

- (1) Private assessment bodies are required to obtain accreditation with Umalusi to assess a qualification on the General and Further Education and Training Sub-framework of Qualifications.
- (2) Accreditation is granted to a private assessment body if such assessment body-
  - (a) has the capacity to manage or coordinate national examinations and assessment of learner achievement in respect of qualifications it offers. Private assessment bodies must demonstrate the capacity to conduct, administer and manage national examinations and assessments of learner

achievement in respect of qualifications they offer as stipulated in the Directives of Umalusi; and

- (b) assesses a qualification on the General and Further Education and Training Sub-framework which includes all the processes involved in the setting and administration of external examinations and internal assessment for the full period of the qualification as required by the policies and regulations that govern such a qualification.

**18. Accreditation process to be followed by the applicant**

- (1) The accreditation of private assessment bodies is a process of evaluating a private assessment body to determine whether its capacity, systems, processes and products are of the appropriate quality to deliver valid, reliable, fair and credible assessments and examinations.

**[35. The accreditation process for private assessment bodies is as follows:**

- (1) the lodging of an expression of intent to seek accreditation to assess a qualification registered on the General and Further Education and Training Sub-framework of Qualifications at least 18 months before the pilot examination is envisaged;**
- (2) establishing the need for an assessment body to assess such qualification and motivating the need through a feasibility study;**

- (3) application for accreditation to assess a qualification on the General and Further Education and Training Sub-framework of Qualifications. The application is only processed if the following is evident:
- (a) The assessment body is a juristic person independent of any provision of education and training and is registered as a company in terms of the Companies Act 2008 (Act No 71 OF 2008);
  - (b) Is able to provide proof that the income of the applicant is sufficient to sustain its assessment regime in an acceptable manner;
  - (c) The applicant has a stable financial position that will enable it to maintain operational continuity;
  - (d) The applicant can provide proof that it has established financial surety or guarantee to ensure that it is able to meet its obligations to the learners registered for its examinations and assessment services; and
  - (e) The applicant has sufficient professional expertise in education and assessment in order to provide assessment services for the qualification it is seeking to offer.
- (4) submission of a self-evaluation report and supporting evidence to Umalusi;]

(2) The accreditation process comprises the following procedures to be followed by private assessment bodies-

(a) submitting an application for accreditation to assess a qualification listed on the General and Further Education and Training Sub-framework which will only be processed if the applicant-

(i) complies with the following-

(aa) is a juristic person independent of any provision of education and training and is registered as a company in terms of the *Companies Act 2008* (Act No 71 of 2008);

(bb) is able to provide proof that its income is sufficient to sustain its assessment regime as based on criteria determined by Umalusi;

(cc) has a stable financial position that will enable it to maintain operational continuity;

(dd) can provide proof that it has established financial surety or guarantee to ensure that it is able to meet its obligations to the learners registered for its examinations and assessment services; and

(ee) has sufficient professional expertise in education and assessment in order to provide assessment services for the qualification it is seeking to offer; and

(ii) adheres to the following requirements-

(i) lodges an expression of intent to seek accreditation to assess a qualification registered on the General and Further Education and Training Sub-framework of Qualifications at least

- 18 months before the pilot examination is envisaged;
- (ii) establishes the need for an assessment body to assess such qualification and motivating the need through a feasibility study;
- (b) submitting a self-evaluation report and supporting evidence to Umalusi;
- (c) undertaking a site verification conducted by Umalusi;
- (d) conducting an exit examination pilot study;
- (e) receiving provisional or no accreditation;
- (f) applying for accreditation;
- (g) conducting a full exit examination; and
- (h) receiving accreditation or no accreditation.

#### **19. Umalusi's role in the accreditation process**

- [(5) evaluation by Umalusi of the applicants capacity including its policy framework, assessment systems and standards through a desk-top evaluation of the self-evaluation report, state of readiness evaluation and verification site visits;**
- (6) demonstrated competence by the applicant through a pilot in the development of assessment products and administration of an examination at the required standard;**



- (7) **awarding of accreditation or provisional accreditation or no status by Umalusi.**
  - (8) **immediately after accreditation has been granted, planning for a lead time of 12 months before the first formal examination is conducted.**
  - (9) **ongoing monitoring to ensure credible, fair and valid internal and external assessment of learner achievement at exit points.]**
- 
- (1) Umalusi must evaluate the applicant's capacity to conduct, administer and manage examinations. This will include evaluation of the policy framework, assessment systems and standards, the self-evaluation report, state of readiness and verification site visits.
  - (2) Umalusi must determine the competence of the applicant in the development of assessment products and administration of an examination at the required standard, demonstrated through a pilot study.
  - (3) Based on the outcome of Umalusi's evaluation as contemplated in *sub-paragraphs (1) and (2)*, Umalusi may award either provisional accreditation or no accreditation.
  - (4) After provisional accreditation has been granted by Umalusi, the applicant must commence with immediate planning for a lead time of 12 months before the first formal examination is conducted.
  - (5) Umalusi must conduct monitoring to ensure credible, fair and valid internal and external assessment of learner achievement at exit points.

## **20. Provisional accreditation**

- [37. Provisional accreditation may be granted to private assessment bodies for a period of three years during which time the assessment body must meet all the requirements of accreditation. If the assessment body fails to meet these requirements it may not continue to offer national examinations for qualifications registered on the General and Further Education and Training Qualifications Sub-framework.
38. Provisional accreditation of an assessment body may not be extended unless the Umalusi Council decides to do so under exceptional circumstances and in that case only for one additional year.
- (1) Private assessment bodies that have successfully completed the initial desktop evaluation, state of readiness evaluation and verification site visit will be granted “provisional accreditation to conduct a pilot study”.
- (2) Following the successful completion of a pilot study, the applicant may be granted provisional accreditation to conduct examinations for a period of three years during which time the assessment body must meet all the requirements of accreditation.]
- (1) Private assessment bodies that have satisfactorily completed the pilot study may be granted provisional accreditation for a period of three years during which time the assessment body must meet all the requirements of accreditation.

(2) Provisional accreditation of an assessment body may be extended by the Umalusi Council on reasonable grounds..

- (3) If the assessment body fails to meet all the requirements of accreditation as contemplated in *sub-paragraphs (1) and (2)*, it will be awarded a status of “no accreditation” and it may not continue to offer national examinations for qualifications registered on the General and Further Education and Training Qualifications Sub-framework.

## **21. Accreditation of private assessment bodies**

- (1) Accreditation is granted to a private assessment body to assess a qualification on the General and Further Education and Training Sub-framework which includes all the processes involved in the setting and administration of external examinations and quality assuring internal assessment for the full period of the qualification as required by the policies that govern the qualification. In the case of the National Senior Certificate, which is a three-year, qualification this means grades 10, 11 and 12.
- [39. Accreditation is granted for an unlimited period and private assessment bodies are monitored annually to ensure ongoing compliance with policies and regulations, improvement and maintenance of standards.**
- 40. Accredited private assessment bodies are monitored and reported on annually.**
- 41. Umalusi may periodically undertake in depth evaluations and report on both the state and private assessment systems.**

**42. The state assessment bodies, while not accredited, are annually monitored and reported on to ensure compliance with the same set of standards.]**

(2) Private assessment bodies will be monitored and reported on annually to ensure ongoing compliance with policies and regulations, improvement and maintenance of standards.

(3) To ensure consistency in the national assessment system, Umalusi sets common criteria for the state and private assessment bodies.

(4) An accredited private assessment body must perform the functions with regard to external assessment as set out in *section 18* of the *General and Further Education and Training Quality Assurance Act, 2001 (Act No. No. 58 of 2001)*.

**[22. The registration of learners for home education**

**14. The registration of learners for home education]**

**[27. Section 51 of the South African Schools Act, 1996 (Act No. 84 of 1996), provides for the registration of learners to be educated at home.]**

**[28. Umalusi may accredit an assessment body to set, administer or manage assessments for the home based education system. Such an assessment body must establish and register assessment centres to conduct external examinations for home-based candidates. Alternatively, such candidates may be registered as private candidates at existing, registered**

examination centres for which the assessment body is responsible.]

[29. Learners to be educated at home in terms of *section 51* of the *South African Schools Act, 1996 (Act No. 84 of 1996)* will be regarded as part-time candidates and must-

- (1) comply with the requirements as stipulated in the policy document, *National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R–12*; and
- (2) must register with an accredited assessment body to ensure that such learners comply with the National Curriculum Statement Grades R-12 requirements as stipulated in the policy documents, *National policy pertaining to the programme and promotion requirements of the National Curriculum Statement Grades R–12*, and *National Protocol for Assessment Grades R–12*.]

## **22. Registration of examination centres**

Public or accredited private assessment bodies may register examination centres on condition that they-

- (1) comply with the registration requirements for independent schools as determined by the relevant Provincial Education Department and accreditation by Umalusi;
- (2) assess the National Senior Certificate examination; and

- (3) in the case of independent schools have met all the requirements of regulations pertaining to the conduct and administration and management of an examination in respect of a qualification as contemplated in Regulation 26(A) and 27 of the Regulations pertaining to the conduct, administration and management of assessment for the National Senior Certificate, Government Notice No. R872 in Government Gazette No. 31337 of 29 August 2008.
- (4) in the case of centres other than independent schools, are managed by the assessment body and have met all the requirements of regulations pertaining to the conduct and administration and management of an examination in respect of a qualification as contemplated in Regulation 27 of the Regulations pertaining to the conduct, administration and management of assessment for the National Senior Certificate, Government Notice No. R872 in Government Gazette No. 31337 of 29 August 2008.

**[24. Registration of local examination centres]**

- [45. Accredited private assessment bodies may register accredited independent schools as examination centres, and must ensure that Umalusi's requirements are met and the requirements of the qualification being assessed are fulfilled both in terms of internal assessment and external examinations.]**
- [47. In an effort to ensure consistency in the national assessment system, Umalusi sets common criteria for the state and private assessment bodies-]**

## CHAPTER 8

### CRITERIA FOR THE ACCREDITATION OF PRIVATE ASSESSMENT BODIES

#### **23. Standard for compliance**

- (1) The quality of national external examinations is critical in determining standards in public and private education and training. The quality assurance and monitoring of assessment processes of such examinations are central to upholding the standards embodied in national qualifications. These roles are undertaken by both the state and private assessment bodies.
- (2) Accreditation is granted to private assessment bodies where such organisations satisfy the requirements for accreditation as indicated in this policy and supporting regulations, policies and directives as established by the Council.
- [(3) The state assessment system is monitored and reported on against the criteria of this policy and the supporting policies and directives as established by the Council and policies and regulations promulgated by the Minister.]**

#### **24. Criteria for the accreditation of private assessment bodies to assess a qualification on the General and Further Education and Training Sub-framework of Qualifications**

The criteria for the accreditation of private assessment bodies to offer a qualification on the General and Further Education and Training Sub-framework are as follows-

- (1) Several broad criteria pertinent to the accreditation of assessment bodies are grouped into three focus areas:
  - (a) strategic leadership and management;
  - (b) assessment standards; and
  - (c) administration of assessment.
- (2) The set of criteria for the accreditation of a private assessment body is outlined as follows-

**(a) Criterion 1: Leadership, planning and management**

- (i) The assessment body's leadership is instructive and provides strategic direction and governance oversight based on acceptable practices.
- (ii) The strategic initiatives, interventions, policies and procedures of the assessment body promote fair, valid and reliable assessments.
- (iii) The assessment body is sustainable and financially viable.
- (iv) The assessment body demonstrates commitment to quality improvement in providing feedback annually to the institutions that are its examination centres.
- (v) The assessment body is sufficiently and professionally staffed.
- (vi) The leadership and management identify and manage the organisational risks effectively.



**(b) Criterion 2: Assessment standards**

- (i) The assessment body's assessment approach and systems are credible in that assessments are administered against the policy requirements and standards of qualifications registered on the General and Further Education and Training Qualifications Framework and their intended curricula.
- (ii) The assessment body produces assessment products of an acceptable standard and oversees the quality of internal and external assessment of all its registered examination centres.
- (iii) Assessment standards and practices are benchmarked and quality assured.
- (iv) Standards of assessment are maintained and improved through appropriate and effective monitoring and moderating mechanisms.

**(c) Criterion 3: Research and development**

- (i) The work of the assessment body is informed by appropriate research and assessment approaches are innovative, benchmarked and fit for purpose.
- (ii) Research findings are used to improve assessment products, systems and approaches as well as to provide feedback to education institutions in order to drive the improvement of teaching, learning and internal assessment.

- (iii) The capacity of professional and administrative staff employed in the assessment process is developed.

**(d) Criterion 4: The conduct and administration of examinations**

- (i) The assessment body conducts credible external examinations in that it is effective and efficient in the management of all administrative and logistical processes associated with the conduct of examinations.
- (ii) Learners are registered for the examination at the commencement of the qualification (in the case of the National Senior Certificate, Grade 10) by the private assessment body.
- (iii) Security systems with a low tolerance for irregularities are implemented and irregularities are reported and dealt with as required in Umalusi policy.
- (iv) The assessment body meets all Umalusi's requirements in respect of the registration, resulting and certification system and is able to submit learner datasets that meet Umalusi specifications.
- (v) The assessment body has efficient and reliable systems for the capture, storage and management of learner achievement data and is ethical in reporting and safeguarding the accuracy and security of learner results.
- (vi) The assessment body ensures that it has full ownership of its data from inception.
- (vii) All the requirements of policy and regulations pertaining to the conduct, administration and management of an

examination in respect of a qualification apply and are met.

- (viii) Delivery of the examination is monitored and evaluated with the purpose of supporting continuous improvement.

**(e) Criterion 5: Resulting systems and processes**

The assessment body-

- (i) encapsulates the reliable and accurate processing and issuing of results; and
- (ii) complies with policy to maintain the integrity of the system.

## CHAPTER 9

### WITHDRAWAL OF ACCREDITATION

#### **25. Rationale**

- (1) Private assessment bodies accredited in terms of the policy developed by the Council and approved by the Minister in terms of *section 17A2(a) of the General and Further Education and Training Quality Assurance Act, 2001 (Act No. No. 58 of 2001)*, must be monitored by the Council in terms of *section 25(1) of the said Act*, to ensure continued compliance with the policy set out in this policy.
- (2) Where a private assessment body is found to be non-compliant, the Umalusi Council reserves the right to place the assessment body under close monitoring.
- (3) Umalusi may withdraw accreditation if the assessment body is found to be non-compliant with the requirements of this policy.

#### **26. Procedures to be followed in the event of non-compliance by private assessment bodies**

**[56. In the case of non-compliance with this policy Umalusi will:**

- (1) **Serve notice of administrative action to withdraw the accreditation of the private assessment body concerned at an appropriate time so as to minimize implications for existing and future learners.**

- (2) **determine a reasonable period within which the private assessment body must comply with the policy set out in this document**
- (3) **at the expiry of the period evaluate the steps taken by the private assessment body ; and may affirm or withdraw accreditation of the private assessment body.]**

(1) In the event of non-compliance with this policy as contemplated in paragraph 27(2), Umalusi will-

- (a) determine a reasonable period within which the private assessment body must comply with the policy set out in this policy;
- (b) evaluate at the expiry of the period the remedial steps taken by the private assessment body;
- (c) based on the decision taken in terms of sub-paragraph (1)(a), Umalusi may affirm or withdraw accreditation of the private assessment body; and
- (d) in withdrawing accreditation, serve notice of administrative action to withdraw the accreditation of the private assessment body concerned at an appropriate time so as to minimise implications for learners.

- (2) Once a decision to withdraw accreditation has been made and communicated, the private assessment body will not be permitted to register learners for the next examination cycle **[and must]**. The private assessment body must notify its clients of the decision with

immediate effect and ensure that all past and present learner data and records are secured and transferred to Umalusi in the manner prescribed by Umalusi.

**27. Procedures to be followed in the event of non-compliance by independent schools**

- (1) In terms of *section 16(5) of the General and Further Education and Training Quality Assurance Act, 2001 (Act No. 58 of 2001)*, the Council must perform any function consistent with the said *Act* that the Minister may determine, and must therefore in the case of non-compliance with the policy set out in this **[document]** policy by an independent school -
  - (a) notify the independent school in writing and set out the nature and extent of the failure; and
  - (b) determine a reasonable period within which the independent school must comply with the policy set out in this **[document]** policy.
- (2) At the expiry period contemplated in sub-paragraph (1)(b), the Council must-
  - (a) evaluate the steps taken by the independent school; and
  - (b) affirm or withdraw accreditation of the independent school.
- (3) Accreditation may be withdrawn if the independent school is found to be non-compliant with the requirements as stipulated in this policy.
- (4) Withdrawal of accreditation of an independent school must be preceded by a notification of the Head of Department or Registrar concerned.

**28. Appeals procedure**

The withdrawal of accreditation status may be appealed through a formal appeals process established **[and overseen by the Appeals Committee of Umalusi Council]** by Umalusi.

## CHAPTER 10

### FUNDING

#### **29. Provision for funding by the Council**

*Section 13(1)(c) of the General and Further Education and Training Quality Assurance Act, 2001 (Act No. No. 58 of 2001), makes provision for funds received by the Council in respect of fees charged for services. Accordingly, Umalusi determines annual quality assurance fees for all its services including accreditation and related processes.*



## CHAPTER 11

### TRANSITIONAL ARRANGEMENTS AND COMMENCEMENT OF POLICY

#### **30. TRANSITIONAL ARRANGEMENTS**

- (1) The implementation of this policy **[document]**, becomes effective with immediate effect on the date of publication in the *Government Gazette* thereof;
- [(2) Independent schools that are currently registered but are not accredited must apply for accreditation with Umalusi within one year from the date of publication of this policy in the Government Gazette;]**
- [(3) Independent schools that are registered and provisionally accredited will receive verification site visits and will be considered for full accreditation if they meet the requirements, commencing on the publication of this Government Gazette;]**
- (2) Accredited and registered independent schools, and accredited private assessment bodies must take all reasonable steps to comply with the implementation of this policy as contemplated in *subparagraph (1)*.

#### **31. SHORT TITLE**

This Policy may be cited as the *Policy and Criteria for the Quality Assurance of Independent Schools and Private Assessment Bodies* and will commence on the day of its promulgation in the *Government Gazette*.

**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**  
**NOTICE 282 OF 2017**



**POSITION PAPER ON THE FRAMEWORK FOR DYNAMIC AND OPPORTUNISTIC  
SPECTRUM MANAGEMENT**

1. The Independent Communications Authority of South Africa (“the Authority”) on 17 June 2016, in Government Gazette number 40078 (Notice 350 of 2016), published its findings document on the framework for dynamic and opportunistic spectrum management in terms of section 4C (6) the ICASA Act.
2. The Authority hereby publishes a notice on the Position Paper on the framework for Dynamic and Opportunistic spectrum management in terms of section 4C (6) of the Independent Communications Authority of South Africa Act 13 of 2000 (“the ICASA Act”).
3. A copy of the Position Paper will be made available on the Authority’s website at <http://www.icasa.org.za> and in the Authority’s Library between 09:00 and 16:00 from Monday to Friday.

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

**NOMVUYISO BATYI**  
**COUNCILLOR**



Independent Communications Authority of South Africa  
Pinmill Farm, 164 Katherine Street, Sandton  
Private Bag X10002, Sandton, 2146

## **POSITION PAPER ON**

## **THE FRAMEWORK FOR DYNAMIC AND OPPORTUNISTIC SPECTRUM MANAGEMENT**

2017

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## 1 ACKNOWLEDGEMENTS

1.1 The Independent Communications Authority of South Africa ("the Authority") would like to acknowledge the following stakeholders who participated in the consultation process:

- Broadband Infraco;
- Cell-C;
- Indigo;
- Dynamic Spectrum Alliance;
- Google;
- GSMA;
- Intel;
- Internet Solutions;
- ISPA;
- Microsoft;
- Morai;
- MTN;
- NAB;
- Orbicom and Mnet;
- SABC;
- SENTECH;
- TELKOM;
- Vodacom; and
- WAPA.

1.2 The Authority would also like to acknowledge the contributions and support provided by its research partners through their collaboration in the development of the discussion paper and the analysis of written representations from stakeholders. The research partners in this regard are:

- the Council for Scientific and Industrial Research (CSIR), through its Meraka Institute;
- the University of Pretoria, through its Faculty of Engineering, Build Environment and Information Technology (EBIT); and
- the University of the Witwatersrand, through its Centre for Telecommunications Access and Services (CeTAS), and the LINK Centre (SLLM).

## 2 INTRODUCTION AND BACKGROUND

- 2.1 On the 19th October 2015, the Authority published a Discussion Document<sup>1</sup> on the Draft Framework for Dynamic and Opportunistic Spectrum Management for consultation in terms of sections 2 (c) (d), (e), (i), read with sections 4, 30, 31(4), and 33 of the Electronic Communications Act No. 36 of 2005 (“the ECA”), Regulation 16 of the Radio Frequency Spectrum Regulations 2015, and the Frequency Migration Plan 2013.
- 2.2 The discussion paper proposed the adoption of the concept of Dynamic Spectrum Assignment (DSA) on a geo-location basis as one of the techniques to achieve the priorities of SA Connect that sought to promote technologies and techniques that promote more effective and efficient use of radio frequency spectrum. While class licensees have been in existence in South Africa over many years, there is currently no process for assigning spectrum on a geo-location basis, the proposed adoption of DSA therefore can address this gap.
- 2.3 The paper focused on the adoption of DSA in the Broadcasting TV band (470Mhz to 694Mhz) and proposed a regulatory framework that would enable broadband services on a secondary user assignment basis in the aforementioned band. This band is currently utilised exclusively for terrestrial broadcasting service.
- 2.4 The secondary assignment basis ensures that the primary service (terrestrial broadcasting service) in this band is protected from interference while enabling access to up to 168Mhz of otherwise unused spectrum.
- 2.5 The research conducted by the research partners of the Authority and majority of other studies done elsewhere on the TV white spaces subject assumed fixed wireless assignment of spectrum in this band and therefore the proposal of the regulatory framework for TV white spaces is primarily for fixed networks.
- 2.6 The paper further sought input on studies that could be commissioned for extending DSA beyond terrestrial broadcasting band.
- 2.7 The Authority subsequently received 19 written representations from stakeholders in response to the discussion paper.
- 2.8 The Findings Document 17 June 2016, published in Government Gazette Number 40078 (Notice 350 of 2016), presented an analysis of the views expressed by the stakeholders in their written representations on the Draft Framework for Dynamic and Opportunistic Spectrum Management.

## 3 ABBREVIATIONS AND DEFINITIONS

- 3.1 **Allocate.** In spectrum terms, allocate means to determine that a specific portion of the spectrum is to be used for specific purposes. These purposes are coordinated via the ITU on a regional or global basis.
- 3.2 **Assign.** In spectrum terms, spectrum that is allocated for a specific purpose may be assigned to a specific user of that spectrum and the user provided with a spectrum licence by the Authority.
- 3.3 **Authorised Service.** Any usage of spectrum that is authorised by the Authority, either directly or indirectly. This includes the long-term assignment of spectrum for broadcasting purposes (primary use), licensed TVWS devices and light licensed TVWS devices. It may include or exclude licence-exempt TVWS device and certain ancillary services, such as radio microphones and STLs.

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<sup>1</sup> Discussion Document, Notice 1001 of 2015, Government Gazette 39302

- 3.4 **Available Frequency.** A frequency range that is not being used by an authorized service of a higher priority at or near the same geographic location as the WSD and is acceptable for use by a White Space Device under the provisions of this framework. Such frequencies are also known as White Space Frequencies (WSFs).
- 3.5 **Broadcast Television Frequency Band.** A frequency range that is primarily allocated to television broadcasting service, e.g. the 470 – 694 MHz UHF DTT band
- 3.6 **Channel.** A single DTT broadcast channel is 8 MHz wide. When discussing Available Frequencies, these will always be in blocks of 8 MHz, within the DTT band. Used synonymously with “Available Frequency”. Other channel widths may apply in other bands.
- 3.7 **Coordination.** In the context of spectrum management, coordination is the process of analysing spectrum usage in order to ensure that interference between uses does not occur. This is usually carried out with the help of a radio frequency propagation modelling tool.
- 3.8 **Dynamic spectrum assignment.** Dynamic Spectrum Assignment (DSA) is an umbrella term used to describe a set of technologies and techniques that enable opportunistic assignment of available radio spectrum to radio communications devices. These technologies and techniques ensure that consumers and their devices have wireless bandwidth when and where they need it.
- 3.9 **Geo-location capability.** The capability of a WSD to determine its geographic coordinates in WGS84 format, usually using GPS. This capability is used with an approved Geo-Location Database to determine the availability of frequencies at a WSD’s location.
- 3.10 **Geo-location database.** A database system that maintains records of all authorized services in the frequency bands approved for WSD use, is capable of determining available frequencies at a specific geographic location, and provides lists of available frequencies to Master WSDs. Geo-location databases that provide lists of available frequencies must be authorized by the Authority.
- 3.11 **High Demand Spectrum.** A number of bands, coordinated as IMT through the ITU, are deemed “high demand” because they are coordinated in sufficiently large markets to mean that device manufacturers find it worthwhile to design and manufacture equipment in sufficient quantities to mean that consumer equipment is easily and cheaply available. These bands include the 700, 750, 800 and 850 MHz bands, as well as the 1.8, 1.9, 2.1, 2.3, 2.6 and 3.5 GHz bands. Section 31(3) of the ECA obliges the Authority to define procedures and criteria for assigning this spectrum. Despite several attempts, this has not yet happened in South Africa.
- 3.12 **IMT.** International Mobile Telecommunications is a definition by the ITU of certain bands for mobile or fixed use, primarily today for broadband access to the Internet.
- 3.13 **ITU.** International Telecommunications Union. A global body (falling under the United Nations) to which member states subscribe and negotiate various things, including spectrum allocations.
- 3.14 **Primary.** A primary spectrum licensee has protection, via the Authority, from all other users of the spectrum, whether licensed, licence-exempt or unlicensed.
- 3.15 **Protection.** The term “protection” means that a licensee who is experiencing interference has the right to require the Authority to investigate and ameliorate the cause of the interference.
- 3.16 **Secondary User.** A user that is only authorised to use spectrum when the spectrum will not cause interference to a primary user. Also usually provided with protection by the Authority against interference caused by others.

- 3.17 **Spectrum sensing.** A process whereby a WSD monitors a frequency range to detect whether frequencies are occupied by a radio signal and to what extent.
- 3.18 **Studio – Transmitter Link (STL).** It has been the practice in the past for broadcasters to make use of the PtMP spectrum, which they are licensed to use for PtP links. In the past, these links were not registered with the Authority, and therefore were not entitled to any protection. The Authority has set in motion a process of migrating these to alternative bands.
- 3.19 **White space.** The frequency bands not used by their primary licensed users at a specific location or at a specific time.
- 3.20 **White space device (“WSD”).** A device designed to detect the available frequencies, usually making use of a geo-location database, and utilise these unused channels to transmit signals for Internet connectivity.

#### 4 ANALYSIS OF SUBMISSIONS AND THE AUTHORITY’S POSITION

##### 4.1 *Legislative Mandate*

- 4.1.1 Majority of respondents agreed that the Authority has the legislative mandate to address the issues of dynamic and opportunistic spectrum management and TV White Spaces and to build a suitable framework. There were only three submissions that clearly disagreed that the Authority had the legislative mandate to build a TV white spaces regulatory framework, these were from NAB, Orbicom and Mnet.
- 4.1.2 SENTECH<sup>2</sup> also agrees that the Authority had the legislative mandates, while also arguing that section 2(e) of the ECA is the only aspect relevant to the discussion. They argue that the Authority should also consider sections 2(r), (s) and (t) of the ECA since SAP/SAB have secondary allocations in the targeted band for TV white spaces regulatory framework.
- 4.1.3 The strongest disagreement with the question of mandate came from the NAB<sup>3</sup> as well as Orbicom and Mnet<sup>4</sup> submissions. They argue that the Discussion Paper appears to overlook the distinctive roles played by the Minister and the Authority on spectrum and related issues. The three submissions argue that the Authority should put this process on hold until the following legal pre-requisites have been met:
- (i) section 3(1) (a) and (b) of the Electronic Communications Act 36 of 2005 (“the ECA”), and
  - (ii) Section 34 of the ECA
- 4.1.4 They highlight that the role of the Minister in terms of section 3(1) (a) and (b) of the ECA, which states that the Minister is responsible for setting policies on matters of national policy applicable to the ICT sector in relation to the frequency band, the Republic’s obligations, undertakings under bilateral, multilateral or international treaties, and conventions, including technical standards for frequency matters. They further state that the Minister is responsible for representing the country at the ITU and other international fora and therefore responsible for spectrum allocations.
- 4.1.5 They further argue that it is only after the use of a band has been determined at ITU level and adopted by the Republic (represented by the Ministers) that the Authority may proceed to control, plan, administer and manage the use and licensing of that spectrum. They further argue that this implies

<sup>2</sup> See section 4.2 of Sentech submission

<sup>3</sup> See section 2.1 on page 3 of NAB submission

<sup>4</sup> See section 8 and 9 on page 1 of Orbicom and Mnet submission



in executing these functions, the Authority must always be in accordance with the bilateral agreements or international treaties entered into by the Republic, section 34 of ECA. This argument is joined by SENTECH<sup>5</sup> with reference specifically to GE-06 Agreement.

- 4.1.6 A point stressed by Orbicom and Mnet<sup>6</sup> is that the sub-band below 694MHz is currently utilised exclusively for terrestrial broadcasting services and that this sub-band has not been allocated to mobile telecommunications either on a co-primary basis with broadcasting services or at all. They then argue that the Authority can only deviate from the current allocation if the Ministers approve a deviation from the ITU Table of Allocations and such deviations would have to be coordinated with the neighbouring countries.
- 4.1.7 A further argument from SENTECH<sup>7</sup> is that in compliance with section 2 (t) of the ECA (as amended), the Authority is obliged to ensure that both primary and secondary spectrum usage for broadcasting is protected from interference. Since SAP/SAB have a secondary allocation in the frequency band 470 – 694 MHz, the Authority has to consider protection of these services from interference under sections 2 (r), (s) and (t) of the ECA. They point that the Authority has erroneously limited the discussions to the existing terrestrial television transmitter network.

#### **The Authority's Position:**

- The DSA is an application and not a radiocommunications services, and therefore an allocation is not to be made by the ITU.
- The DSA is an assignment issue and the Authority has the mandate to control, plan, administer and manage the use and licensing of the radio frequency (RF) spectrum in accordance with Section 30 of ECA while the Minister is responsible for the allocation in terms of section 34 of the ECA.
- The Services Ancillary to Broadcasting (SAB) and Services Ancillary to Programme making (SAP) (including Studio Transmission Links or STLs) are to be migrated in accordance with the latest version of the "Radio Frequency Migration Regulations and Plan".

#### **4.2 Introduction of Dynamic Spectrum Assignment**

- 4.2.1 There is an overwhelming support for the proposals in the discussion document. Out of 19 responses, 12 supported both Dynamic Spectrum Assignment (DSA) and the development of a regulatory framework for TV white spaces (TVWS) will;
- (i) Encourage efficient usage of spectrum and
  - (ii) Encourage Spectrum Sharing and
  - (iii) encourage innovation

#### **The Authority's Position:**

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<sup>5</sup> See section 7.5 of Sentech submission

<sup>6</sup> See section 16 of Orbicom and Mnet submission

<sup>7</sup> See section 3.3 of Sentech submission

- The Authority has undertaken extensive research and studies on DSA and the possible use of TVWS thus confirming that interference is not caused to Primary users.
- The Authority is to develop regulations on TVWS to ensure the protection of Primary users from harmful interference.

4.2.2 Since it was made clear that in the context of this discussion, DSA applies only to TVWS, majority of the respondents did not make a distinction between the concept of DSA and its implementation for TV white spaces operation.

4.2.3 There were however some key comments from those that distinguished the DSA concept from the TV white spaces operation from Cell C<sup>8</sup>, Intel<sup>9</sup> and Vodacom<sup>10</sup>.

#### **The Authority's Position:**

The Authority defines the concept of DSA under 3.8 and white spaces is as defined under 3.19.

4.2.4 According to Cell C, DSA introduces technical challenges that are associated with cognitive radios and/or software defined radios. Cell C<sup>11</sup> states that the demand and the expected impact for DSA has not been made clear in the document, hence the demand should be considered first before a regulatory framework is developed. Cell C further recommends that priority be given to existing demand for leasing, trading and sharing, along with the allocation of high demand spectrum.

#### **The Authority's Position:**

The Authority's position is that issues around spectrum leasing, trading and sharing are not within the scope of the current DSA regulatory formulation process.

4.2.5 Vodacom<sup>12</sup> also makes a distinction between DSA and TV white spaces, and provides a strong motivation for DSA implementation in the terrestrial broadcasting bands only, as opposed to the bands allocated to mobile services. Vodacom's proposal is based on key reasons that are provided in the following table:

<i><b>Why Broadcasting Bands may be suitable</b></i>	<i><b>Why Mobile Spectrum Bands are Unsuitable</b></i>
<p>Spectrum currently assigned to Broadcasting Services in the 470 – 694MHz is considered inefficiently utilised due to following reasons:</p> <ul style="list-style-type: none"> <li>• Considering the Digital Terrestrial Migration (“DTT”) frequency plan, the frequency reuse factor is equal to 4 for only part of the 470 – 694MHz band, namely below 606MHz, meaning that the same</li> </ul>	<p>Mobile technologies like 3G and LTE (and beyond) implement a highly efficient use of spectrum for the following reasons:</p> <ul style="list-style-type: none"> <li>• There are no white spaces available in the frequency domain or the time domain;</li> </ul>

<sup>8</sup> See section 3 of the Cell C submission

<sup>9</sup> See section 2.6 on page 5 of the Intel submission

<sup>10</sup> See section 3.2 on page 8 of the Vodacom SA submission

<sup>11</sup> See section 8 of the Cell C submission

<sup>12</sup> See section 3.2 on page 6 to 7 of the Vodacom SA submission

<p>frequency is only utilised at every 5th broadcast transmitter.</p> <ul style="list-style-type: none"> <li>• The prevalence of white spaces in the frequency domain, namely unused frequencies between transmitting radio frequency channels. It is however noted that such frequency white spaces will be less of an opportunity post DTT migration;</li> <li>• More importantly, the prevalence of a number of large white spaces in the geographic domain, namely large geographic areas where radio frequencies are unused;</li> <li>• Broadcasting spectrum is currently not subject to the AIP6 licencing fee regime and there is therefore no incentive for broadcasters to use spectrum efficiently.</li> </ul>	<ul style="list-style-type: none"> <li>• The frequency re-use factor is equal to 1, meaning that the same frequency is utilised at each radio base station transceiver;</li> <li>• Geographic white spaces will therefore only be prevalent where no base station transceiver signal is prevalent, leaving a very limited number of small populated geographic white spaces nationally given the current 3G population coverage of 96% which is likely to reach 2G population coverage of 99.8% over the short to medium term;</li> </ul>
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#### Authority Summary:

The proposed TVWS regulation framework will focus on the 470 – 694 MHz (Band IV), which is the band dedicated for terrestrial digital television broadcasting. However, adoption of DSA concept beyond the digital TV band is to be considered in future.

#### The Authority's Position:

- That the DSA concept is applicable across the Radio Frequency spectrum band, and
  - That TVWS is the first phase of the DSA implementation in the TV band,
- 4.2.6 Vodacom<sup>13</sup> agrees with Cell C on the immaturity of the ecosystem, however, does not recommend lowering the priority of the work on DSA but to continue to investigate the potential implementation of TV white spaces. Vodacom further raised the following points which were not covered in the discussion document:
- 4.2.6.1 Allow for flexibility to allow for the potential implementation of IMT technologies in 470 – 605MHz part of the band on a secondary basis should the TVWS ecosystem not materialise; and
- 4.2.6.2 Consider the potential re-allocation from Broadcasting Services to Mobile Services in the part of the 470 – 694MHz band above 614MHz, namely 614 – 694MHz subject to regional harmonisation.

#### The Authority's Position:

- The splitting of the 470 – 694 MHz band and implementation of mobile services on the current digital terrestrial TV broadcasting band (470 – 694 MHz) is out of scope of the inquiry, however, parties interested in such further research studies are welcome to approach the Authority.
- In view of developments in increase availability of IMT spectrum, specifically the 700 MHz, the Authority is of view that is not opportune to discuss such developments at this pointing time (development which has taken place in parts of ITU Region 2, i.e. regarding 614 – 694 MHz).
- The Authority is considering to conduct further studies/investigation on the implementation of mobility aspect on TVWS.

<sup>13</sup> See section 3.2 on page 6 of Vodacom SA submission

1.1.1 Intel who makes an important additional point that DSA can be used to accommodate spectrum sharing between commercial and non-commercial interests supports this view.

1.1.2 The point is supported by the recommendation to consider Licensed Shared Access (LSA), which is emerging as a further licensing model.

**The Authority's Position:**

Licensed Shared Access (LSA model is out of scope of the current regulatory process of non-exclusive licensing and could be considered as part of future studies on DSA.

**1.2 TV White Spaces Regulatory framework**

**1.2.1 Introducing TV white spaces regulatory framework**

1.2.1.1 There is an overwhelming support for the proposal of the regulatory framework for TV white spaces. There was however no clear support of applying Dynamic Spectrum Assignment in other spectrum bands.

**The Authority's Position:**

The Authority is to develop regulations on TVWS for public consultation to protect primary services from harmful interference.

1.2.1.2 Among those that supports the introduction of TV white spaces; Vodacom, MTN and TELKOM provide a number of requirements that must be met, which includes:

1.2.1.2.1 Clearly defined regulations in order to ensure that primary licensees rights are protected from harmful interference. They further note, together with others such as Intel and Dynamic Spectrum Alliance that the Authority can learn from regulators that have TV white spaces regulatory framework in place.

**Authority Summary:**

- The Authority's view is that an adequate protection from interference to the primary licensees must be provided through regulations.
- The Authority has taken account of best practices on the protection of primary licensees in countries where TVWS regulations are implemented.

**The Authority's Position:**

- The Authority will take necessary measures through regulations as appropriate to ensure the protection of primary licensees.

1.2.1.2.2 Licensing regime should be flexible to accommodate future wireless applications such Internet of Things (IOT) and Machine To Machine (M-2-M) Communication. Vodacom explicitly indicates that IMT technologies should be allowed to operate in the targeted bands.

**Authority Summary:**

The Authority's position that only fixed wireless applications should apply to the concept of TVWS since mobility in TVWS has not been sufficiently demonstrated. Should IoT be accommodated over the networks contemplated, there will be no prohibition against that.

**The Authority's Position:**

The Authority encourages the use of fixed M2M and IoT wireless applications and services in the targeted band.

- 1.2.1.2.3 Consistent availability of an accurate database of frequency assignments and calibrated propagation models to ensure that instances of harmful interference are avoided. MTN went further to indicate they do not believe this data is widely available.
- 1.2.1.2.4 Manage the geo-spatial spectrum database (also referred to as geo-location spectrum database) providers and ensure that they adhere to regulations.

**The Authority's Position:**

- that an accurate database of frequency assignments and calibrated propagation models (geo-location spectrum database) are the cornerstones for the successful implementation of TVWS, to ensure protection of licensed primary services from harmful interference.
- 1.2.1.2.5 Standardization, Certification and testing of white spaces devices to ensure that they adhere to regulations. Vodacom further notes that the ecosystem is currently immature and further development is encouraged. They further note that the regulations should be technology agnostic.

**Authority Summary:**

The Authority is of the view that adequate know-how in the standardisation, certification and testing of wireless devices in the country and best practices from countries which implemented TVWS regulations. It is clear that the increasing introduction of TVWS regulations across the globe has the potential to accelerate the maturity of TVWS ecosystem. Furthermore, the Authority's view is that TVWS regulations should be service and technology agnostic.

**The Authority's Position:**

The Authority will develop TVWS regulations to ensure that white space devices conform to the applicable standard, tested and certified.

- 1.2.1.2.6 Authority should be able to rapidly respond to, and resolve complaints of interference by TV white spaces devices.

**The Authority's Position:**

The Authority may use mechanisms in place to ensure the protection of primary licensees.

- 1.2.1.3 Respondents that support the development of the regulatory framework for TV white spaces also agree TVWS can be a key enabling technology to support SA Connect goals. They agree that various TV white spaces trial projects, have demonstrated potential to provide low-cost broadband connections for personal/portable devices as well as extend broadband coverage to unserved and underserved areas over a wireless connection where broadband is not currently available or severely limited, and where deploying other wireless technologies is not cost-effective.

**The Authority's Position:**

Furthermore, the implementation of TVWS regulatory framework is to support the realization of SA Connect goal as part of the policy and legislative mandate.

- 1.2.1.4 The GSMA, Cell-C and Intel's viewpoint mainly point to the readiness of the TVWS ecosystem. Cell-C is specifically referring to other models of dealing with spectrum scarcity such as trading, leasing and sharing as well as high-demand spectrum that should receive higher priority than TV white spaces

**The Authority's Position:**

The Authority's position is that these representations are outside the scope of this process.

- 1.2.1.5 Other viewpoints came from respondents that did not explicitly respond to the questions and are therefore analysed in more details in Section 5 of this document.

**1.2.2 TVWS licensing models**

- 1.2.2.1 Generally, the respondents have appreciated the discussions on the licensing regimes for TVWS and DSA described in the discussion document. It is also mentioned that such regulatory licensing frameworks can be adopted from best practices of other countries such as the FCC-US, Ofcom-UK, Canada and Singapore.
- 1.2.2.2 Automated licensing is clearly a preferred licensing regime. This is equally supported for those that support license-exempt as well as those that support full licensing regime. Intel provided further distinction between automated licensing (such as LSA), and automated, conditional assignment (they see TVWS in this category). In the TVWS case, an entity never holds a license; they only hold a conditional authorization to use unused spectrum licensed to another party. They argue that there may be overlap in the framework used to implement automated licensing and automated assignment, but they are not identical. However, they agree that both are technically feasible and their preferred route is automatic licensing, specifically licensed shared access.
- 1.2.2.3 There is very little support for license-exempt unmanaged regime. It is only Microsoft and Broadband Infraco who believe that there is room for license-exempt unmanaged regime.
- 1.2.2.4 There is a balanced support for license-exempt managed regime and full or light licensing regime. Key arguments for supporting license-exempt are that it is expected to improve network and service innovation and lower the barrier for entry for local network operators. Key arguments for full licensing include that license-exempt will introduce distortion to market competition and that it will improve compliance.
- 1.2.2.5 There is no clear support for mixed licensing regime. Most respondents argue that introducing mixed licensing regime in one band introduced unnecessary complications. Morai supports this regime to enable full licensing for point-to-point links and license-exempt for TV white spaces.
- 1.2.2.6 There is also a general caution that the regulatory environment should be flexible and adaptive to not limit the deployment of other services related to future wireless such as M2M, Internet of things and smart cities.

**The Authority's Position:**

- that mandatory registration of information must be provided prior to the network roll-out.

### **1.2.3 Interference Management**

- 1.2.3.1 It is generally agreed by those who support the development of the regulatory framework for TV white spaces that a geo-location spectrum database is the best method for interference management. This is the summary of the responses:
- 1.2.3.2 How to avoid interference by secondary networks on Legacy (TV broadcasting) stations. The technology that is generally accepted for achieving interference mitigation is the geo-location spectrum database (GLSD) supported by spectrum sensing. Single or multiple GLSDs frameworks can be used with standard access protocols for white space radios (WSR), network admin and professional installers.
- 1.2.3.3 How to avoid self-interference between co-secondary networks. A secure registration scheme and an intelligent channel allocation mechanism incorporated by a regulatory GLSD spectrum database will make sure that interference between co-secondary networks are minimized.

#### **The Authority's Position:**

- that the TVWS geo-location spectrum database is currently the most appropriate method for interference management.
- 1.2.3.4 Authentication of WSRs by implementing a secure registration scheme with a registration ID inside the GLSD certified by ICASA, can avoid rogue devices from entering and generating unwanted interference into white space communication networks.

#### **The Authority's Position:**

- Is that certified geo-location spectrum databases will ensure that a secure mechanism for registration of devices is in place.
- 1.2.3.5 Despite the fact that spectrum sensing is not yet at a mature and reliable stage, it is also being proposed as a stand-alone and supporting (for GLSDs) solution in avoiding radio frequency interference.
- 1.2.3.6 Generally, the consensus is that there is enough technological knowhow and technologies to limit the effect of radio frequency interference (RFI) due to TVWS networks.

#### **Authority Summary:**

Spectrum sensing should only be used to validate the radio propagation prediction of the GLSD system. This position may change as spectrum sensing method becomes matured. Due regard should be given to conversion accuracy from field strength to signal strength.

#### **The Authority's Position:**

- is that spectrum sensing may be used to validate the radio propagation prediction of the Geo-Location Spectrum Data (GLSD) system.

### **1.2.4 Data on TV Broadcasters transmitters**

- 1.2.4.1 Almost all respondents agree on the need for accurate data to accurately model the TV broadcast coverage and determine TV white spaces; there is however no clear agreement as to whether we have enough data currently. There is equal number of respondents who said yes to those who said no. Vodacom indicates that it could be challenging to obtain accurate data and submits that



further research is needed to address this issue while SENTECH argues that it cannot be stated confidently that there will ever be sufficient data to accurately simulate real coverage levels. Indigo, Morai and Internet Solutions further argue sensing/scanning maybe needed to complement a geo-location spectrum database.

- 1.2.4.2 There is also no clear common proposal on the mechanism that should be put in place to ensure that the database providers obtain required data. Most respondents indicate that this should be part of compliance by the broadcasters. MTN further indicates that the data should be publicly available via an interface determined by the Authority. Telkom proposes that an MOU between database providers and the Authority be signed to establish a process for information exchange. Intel agrees with Telkom for a process to be established after regulations have been published, Intel further proposes that this process include all spectrum users and incumbent operators.

**The Authority's Position:**

The Electronic Communications Network Service (ECNS) licensees must comply with the latest version of the Terrestrial Broadcasting Frequency Plan in order to ensure that the Authority's database is accurate.

**1.2.5 Operational Management of Spectrum Databases**

- 1.2.5.1 There is consensus that multiple commercial database operators that are certified by the Authority be adopted. Majority also point to a globally harmonized approach to access the spectrum databases.

**The Authority's Position:**

- is that secondary geo-location spectrum databases must conform to the "Authority's Reference Database that performs baseline calculations for the country-wide maps of available TVWS channels and their corresponding maximum allowed power levels of WSD. The maps are to be utilised as regulatory limits by the authorised secondary white space database administrators.

**1.2.6 White spaces devices**

- 1.2.6.1 The general response is that operational parameters for WSDs (such Power level, channel allocations) will be determined and assigned by a geo-location spectrum database.

**The Authority's Position:**

- is that operational parameters of white space devices will be determined and assigned by a geo-location spectrum database.
- 1.2.6.2 It is also proposed that the Authority should set-up a device type approval laboratory. This will guarantee a baseline requirement for WSDs to avoid unnecessary RFI generated due to erroneous manufacturing of hardware/firmware parameters.

**The Authority's Position:**

- is that WSDs will be type-approved according to the applicable type approval regulatory framework.

**1.3 Roadmap for dynamic spectrum assignment in SA and other uses of UHF spectrum**

- 1.3.1 On the question of the roadmap for future application of DSA to other bands, there is an overwhelming support for studies towards application of DSA to other bands and support that the four study question mentioned are the most relevant. There is no agreement however on which bands



to consider, this maybe one of the initial research questions into the future studies. The additional study questions that have been proposed include, in no particular order of preference:

- 1.3.1.1 Can existing primary services co-exist with secondary DSA deployments? Note, the cumulative interference effect should also be taken into account here?
- 1.3.1.2 Is the long-term availability of whitespace guaranteed?
- 1.3.1.3 What frequency bands are being considered in other jurisdictions?
- 1.3.1.4 What is the potential level of scalability, resiliency and reliability that DSA service providers can offer? Will these levels be sustainable in front of increases in demand and increased sharing of white spaces?
- 1.3.1.5 Is DSA deployment in a particular band a short-term solution or a long-term connectivity strategy?
- 1.3.1.6 How does utilising a particular band for the deployment of DSA technology fit into a long-term national ICT strategy?
- 1.3.1.7 Ofcom's approach includes the white spaces database providing TVWS devices with the time interval when the available channels and power levels for each are valid ("time validity"). The Authority should consider adding a question regarding the potential advantages and disadvantages of such an approach.
- 1.3.1.8 Since the propagation characteristics of the white spaces are ideal for long range wireless backhaul, particularly in unserved and underserved areas, and that because fixed point-to-point backhaul equipment is available now, fixed licensed operations would spur immediate broadband deployment to unserved and underserved areas.
- 1.3.1.9 Since all mobile broadband networks need wireless backhaul and that there is a critical shortage of spectrum available for that purpose, will the Authority be considering fixed licensed Point-to-Point backhaul use of TVWS now or in the future? If so how does it propose to go about this exercise?

#### **The Authority's Position:**

- The issues on the "Roadmap for dynamic spectrum assignment in SA and other uses of UHF spectrum" form part of the research work to be conducted by the academia, research institutions and industry.

## **2 ANALYSIS OF SUBMISSIONS: GENERAL COMMENTS – ALL VIEWS WHICH WERE NOT RESPONDING TO THE QUESTIONS GROUPED UNDER SECTIONS**

### **2.1 Timing considerations**

#### ***2.1.1 ICASA should first finalize allocation of 700MHz, 800MHz and 2600MHz bands before considering new bands***

- 2.1.1.1 Vodacom<sup>14</sup> is concerned about the Authority's prioritization of its operational activities to meet the strategic objectives under its legislative mandate, considering the Authority's investigation in

<sup>14</sup> See section 3.1 of Vodacom Sa submission

this Discussion Paper of suitable spectrum for TVWS which is immature and envisaged for use on a secondary basis, whilst the Authority's activities in respect of spectrum that is already allocated to services on a primary basis are still pending, namely:

- Failure to timeously assign spectrum allocated to Mobile Services on a primary basis in the 700MHz, 800MHz and 2600MHz bands to date;
- Failure to conclude the migration of Broadcasting Services from the 700MHz and 800MHz bands;

2.1.1.2 Cell C<sup>15</sup> notes that the spectrum policy directions to be issued by the Minister in terms of SA Connect for the assignment of broadband spectrum have not occurred, they finally urge ICASA to focus its energies and resources on the allocation of high demand spectrum and digital migration.

**The Authority's Position:**

- The TVWS regulatory process and the finalizing of the allocation of 700MHz, 800MHz and 2600MHz bands are separate processes.

***2.1.2 DTT should be finalized first - In all other countries US, Ofcom, Canada - final rules for TV white space were only published after full switchover.***

2.1.2.1 NAB<sup>16</sup>, and Orbicom and Mnet<sup>17</sup> submitted that they are worried about the impact on existing terrestrial television services and digital migration. They argue that the discussion paper's proposals would inhibit optimal spectrum use by broadcasters during the dual illumination period and are not practically feasible.

2.1.2.2 They further argue that until such time as a full technical plan has been done on how to move all of the existing terrestrial television broadcasting services below 694MHz, the introduction of any other services (such as broadband) into the sub-band will disrupt the digital migration process, impede orderly spectrum management and hamper the migration to DTT.

**The Authority's Position:**

- That studies have shown that TVWS are available before the digital migration and will continue to be available post migration, as confirmed by trials conducted in Cape Town and Limpopo.
- That protection of the incumbent Analogue and Digital TV broadcasting transmitters during the dual illumination can be ensured through the GLSD.
- That the protection can be achieved by employing sufficiently conservative protection ratios for both systems, and
- That digital migration process can be implemented concurrently with TVWS.

<sup>15</sup> See section 4 of Cell C submission

<sup>16</sup> See section 4 of Nab submission

<sup>17</sup> See section 22 of Orbicom and Mnet submission

**2.1.3 The 470-698MHz band is under review by ITU-R – hence TVWS is premature**

- 2.1.3.1 Intel notes the decisions that have been taken at the World Radiocommunication Conference 2015 (WRC-2015), particularly: (2) a co-primary allocation to the mobile service and identification by some countries for parts of the 470-698 MHz band and (3) a proposal to review the UHF spectrum for broadcasting and mobile services in Region 1 at WRC-2023. They argue that enabling TV white spaces in this band could block the potential use of this band for mobile services in our region after 2023.

**2.1.4 There is not sufficient critical mass behind TVWS**

- 2.1.4.1 Intel does not believe TVWS will have a material, positive impact on encouraging investment and innovation in the electronic communications sector going forward. We note that the US FCC has a long history of policies designed to encourage investment and innovation. However, there has been little progress in the adoption of TVWS technology since U.S. regulatory efforts on TVWS began over a decade ago. Intel encourages the Authority to conduct its own independent analysis of the history of TVWS.

**Authority Summary:**

While the Authority takes note of the precedents quoted, the need for TVWS is driven by the lack of ubiquitous universal broadband access. The adoption of TVWS is therefore expected to be more rapid in our access-deprived environments.

**The Authority's Position:**

The Authority's mandate is to encourage technological research, development and innovation (RDI), stimulate the market, and encourage investment.

**2.2 Technical****2.2.1 Protection of Broadcasting Services**

- 2.2.1.1 SABC believes TVWS has the potential to introduce interference into the allocated broadcasting spectrum and more especially renders SABs potentially unusable.
- 2.2.1.2 SABC and Sentech are concerned about the process to deal with Services Ancillary to Broadcasting (SAB) and Services Ancillary to Programme making (SAP) for events that use frequencies in UHF - and are co-primary and ad-hoc. The broadcasters want to ensure that the Authority also consider protection of these services from interference. In the discussion document, the Authority limited the discussion to the existing terrestrial television transmitter network.

**The Authority's Position:**

- The Services Ancillary to Broadcasting (SAB) and Services Ancillary to Programme making (SAP) (including Studio Transmission Links or STLs) are to be migrated in accordance with the latest version of the "Radio Frequency Migration Regulations and Plan".

### ***2.2.2 What if a TVWS protocol fails to deliver***

- 2.2.2.1 Vodacom<sup>18</sup> advises the Authority to be mindful of the immaturity of TVWS and that the early promise of TVWS may not actually translate into a supporting technology ecosystem at a scale sufficient to support cost effective deployment of related services. One such example in the past was WiMax technologies, which demonstrated significant promise both technologically and economically but ultimately failed to materialise. Intel also recognised the immaturity of TV white spaces technologies.
- 2.2.2.2 Intel<sup>19</sup> further argues that TV white space does not have enough capacity as compared to other competing technologies in unlicensed bands such as 802.11ac or licensed bands such as LTE and is a poor choice of technology and therefore does not believe that TV white spaces will yield the intended benefits

#### **The Authority's Position:**

- The Authority's mandate, amongst others, is to encourage technological research, development and innovation (RDI), stimulate the market, and encourage investment.

### ***2.2.3 What if we need to move from a 7 MUX SFN to a 7 MUX MFN DTT and there is no more TVWS?***

- 2.2.3.1 SABC<sup>20</sup> argues that the discussion document is premised on successful implementation of a SFN for DTT and notes that there is no concrete evidence of successful implementation of seven (7) MUX SFN.

#### **Summary:**

The concept of TVWS availability does not depend on the allocation or configuration of a broadcast network. Even on a locally occupied TV channel, TVWS might be available at some distant location. There would still be enough TVWS even if we were to move to 7 MUX MFN DTT. All TVWS trials done in South Africa were in a MFN environment, including the analogue TV services and proved to be successful.

#### **The Authority's Position:**

- there will always be TV white spaces due to the nature of the configuration of terrestrial broadcasting frequency planning.

## **3 CONCLUSIONS AND THE WAY-FORWARD**

The Authority is to initiate public consultation process for the formulation of TVWS regulatory framework given the support for TVWS implementation from the industry. This position is also supported by extensive research undertaken and evidence gathered from proof of concept on TVWS trials and global trends.

The introduction of TVWS regulatory framework is in the best interests of South Africa's digital future and in accordance with the strategic objectives of the National Development Plan (NDP) and SA Connect to increase broadband access and uptake.

The Authority wish to thank all those who contributed to these developments and wish to encourage earnest participation and contribution to the development of the regulations.

**End//**

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<sup>18</sup> See section 3.1 of Vodacom SA submission

<sup>19</sup> See section 3 on page 10 of Intel submission

<sup>20</sup> See section 3.3 on page 4 of SABC submission

**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**  
**NOTICE 283 OF 2017**



**PURSUANT TO SECTION 4 (1) OF THE ELECTRONIC COMMUNICATIONS ACT 2005,  
(ACT NO. 36 OF 2005)**

**HEREBY ISSUES A NOTICE REGARDING THE DRAFT REGULATIONS ON THE USE OF  
TELEVISION WHITE SPACES.**

The Independent Communications Authority of South Africa ("the Authority"), in terms of section 4, read with sections 31(4), 34(7) (c) (iii), 34(8) and 34(16) of the Electronic Communications Act (Act No. 36 of 2005), hereby publishes the draft regulations on the use of Television White Spaces for public consultation.

Interested persons are hereby invited to submit written representations, including an electronic version of the representation in Microsoft Word, of their views on the Draft regulations on the use of Television White Spaces no later than 16H00 on 19 May 2017.

Written representations or enquiries may be directed to:

The Independent Communications Authority of South Africa

*Pinmill Farm Block A*

*164 Katherine Street*

*South Africa*

*Private Bag XI0002*

*Sandton*

2146

**Attention:**

Mr Manyapelo Richard Makgotlho

e-mail: [rmakgotlho@icasa.org.za](mailto:rmakgotlho@icasa.org.za)

All written representations submitted to the Authority pursuant to this notice shall be made available for inspection by interested persons from 23 May 2017 at the ICASA Library or website and copies of such representations and documents will be obtainable on payment of a fee.

Where persons making representations require that their representation, or part thereof, be treated confidentially, then an application in terms of section 4D of the ICASA Act, 2000 (Act No. 13 of 2000) must be lodged with the Authority. Such an application must be submitted simultaneously with the representation on the draft regulations and plan. Respondents are requested to separate any confidential material into a clearly marked confidential annexure. If, however, the request for confidentiality is refused, the person making the request will be allowed to withdraw the representation or document in question.

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**CHAIRPERSON**



Independent Communications Authority of South Africa

Pinmill Farm, 164 Katherine Street, Sandton

Private Bag X10002, Sandton, 2146

## **DRAFT REGULATIONS ON THE USE OF TELEVISION WHITE SPACES**

**2017**

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## 1 Definitions

In these Regulations, unless the context otherwise indicates, a word or expression to which a meaning has been assigned in the Act has meaning so assigned:

“**Act**” means the Electronic Communications Act, 2015 (Act No. 36 of 2015);

“**Adjacent Channel Leakage Ratio (ACLR)**” means the ratio of the in-band transmit power measured in an 8 MHz TV channel, to the out-of-band emission measured in any 100 kHz segment in an adjacent TV channel;

“**Altitude**” means the vertical distance above mean sea level (AMSL) defined by WGS84<sup>1</sup>;

“**Antenna height**” means the vertical distance above ground level (AGL) to the radiation centre of an antenna;

“**Antenna height above average terrain (HAAT)**” means the vertical distance between a point on the ground to the radiation centre of an antenna. This height takes into consideration of an averaged surrounding terrain where the antenna is located. The calculation uses a radial horizontal distance starting from 3.2 km away from the antenna up to 16 km;

“**Assignment**” means the authorisation given by the Authority to use a radio frequency or radio frequency channel under specified conditions;

“**Authentication**” means the ability to verify that a message was truly sent by the claimed sender;

“**Authority**” means the Independent Communications Authority of South Africa (ICASA);

“**Contact verification signal**” means an encoded signal broadcast by a Master or Client device for reception by Client devices to which the Master device has provided Operational Parameters. A Master device must provide the information needed by a Client device to decode the contact verification signal at the same time that it provides the Operational Parameters;

“**Device emission class**” means the classification declared by the manufacturer that identifies the level of ACLR for the device;

“**Digital Terrestrial TV (DTT)**” means the digital terrestrial broadcasting technologies and platforms for delivery of TV content in the UHF band;

“**Dynamic Spectrum Assignment**” means a mechanism used to assign the unused spectrum within a frequency band of interest, to secondary users, such that they don’t cause any harmful interference with the primary user or licensee.

“**dBm**” means a power value in decibels referenced to one milliwatt;

“**Equivalent Isotropic Radiated Power (EIRP)**” means the product of the power in dBm supplied to an antenna and the absolute or isotropic antenna gain in a given direction relative to an isotropic antenna over a frequency bandwidth of 8 MHz;

“**EIRP Spectral density**” means the EIRP in dBm over a frequency bandwidth of 100 kHz;

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<sup>1</sup> The World Geodetic System (**WGS84**) is the reference coordinate system used by the Global Positioning System. It comprises of a reference ellipsoid, a standard coordinate system, altitude data and a geoid. Similar to the North American Datum of 1983 (NAD83), it uses the Earth's center mass as the coordinate origin.

“**ETSI**” means the European Technical Standards Institute;

“**ETSI EN 301 598**” means the ETSI Harmonized European Standard for “White Space Devices (WSDs); Wireless Access Systems operating in the 470 MHz to 790 MHz TV broadcast band; Harmonized EN covering the essential requirements of article 3.2 of the R&TTE Directive”, final draft V1.0.9 (2014-02);

“**Fixed equipment**” means a WSD which has an integral antenna, a dedicated antenna or an external antenna and is intended to operate in a fixed location only;

“**Geo-location capability**” means the capability of a WSD to determine and report the latitude, longitude and altitude coordinates of its antenna;

“**Geo-locations Spectrum Database (GLSD)**” means a database system operated by an entity which has been authorised by the Authority to calculate and generate Operational Parameters and to provide GLSD services to the WSD within the frequency band 470 MHz to 694 MHz;

“**Geo-location Spectrum Database GLSD Operator**” means a delegated or designated entity that operates the GLSD;

“**GLSD services**” means the provision of Operational Parameters in response to requests from the WSDs;

“**Geo-location uncertainty**” means the potential positioning error in three dimensions (latitude, longitude and altitude) defined by the maximum difference in metres between the point reported by the WSDs to the GLSD and the actual position of the TVWS antenna;

“**Integral antenna**” means the antenna designed as a fixed part of the equipment, without the use of an external connector, which cannot be disconnected from the equipment by a user with the intent to connect another antenna. An integral antenna may be fitted internally or externally. In the case where the antenna is external, a non-detachable cable shall be used;

“**License**” means a radio frequency spectrum license;

“**Licensee**” means a person to whom a radio frequency spectrum license has been issued in terms of the Act;

“**MHz**” means a frequency value designated in megahertz;

“**Network initiation**” means a process by which a Master device sends control signals to one or more Client devices and allows them to begin communications;

“**Nomadic equipment**” means a device which has an integral antenna or a dedicated antenna and is intended to operate continuously within a limited coverage area;

“**Operational Parameters (OP)**” means the technical parameters generated by a Geo-location spectrum database as a response to a request made by the Master white space device.

“**Out-of-band-emissions**” means the unwanted emissions that fall within the 470 to 694 MHz band;

**“Primary basis”** means a primary service has priority over all other users of the spectrum band and is entitled to protection from harmful interference by other services;

**“Primary service”** means the service to which a specific band in the National Radio Frequency Plan;

**“Reference Geo-Location Spectrum Database (R-GLSD)”** means a GLSD that performs baseline calculations for the country-wide TVWS availability maps and Operational Parameters for WSDs, for setting regulatory limits;

**“Rural”** means any area that is not classified urban. Rural areas are subdivided into tribal areas and commercial farms

**“Secondary user”** means a secondary service allocated in using a specific band in the National Radio Frequency Band Plan that is assigned to a primary service, meaning that the secondary user shall operate without causing harmful interference to the primary service and that the secondary user shall not be entitled to protection from harmful interference by other users, including but not limited to the primary user;

**“Secondary Geo-Location Spectrum Databases (S-GLSD)”** means GLSDs operated by entities certified by the Authority to provide GLSD services to end users.;

**“Sleep mode”** means a mode in which the device is inactive but is not powered-down;

**“Time validity”** means the time period which Operational Parameters provided by the GLSD to a Master WSD are in force.

**“Transmitter power”** means the power produced by a WSD, measured at the output of the transmitter to which the antenna is normally connected;

**“Transmitter Power Control (TPC)”** means technical mechanism used by within some networking devices in order to prevent unwanted interference between wireless networks;

**“TV”** means broadcast Television services;

**“TV White Spaces (TVWS)”** means the locally unused frequencies within the 470 MHz - 694 MHz UHF band;

**“TV transmitter dataset”** means a dataset containing technical parameters of terrestrial TV installations such as geographical locations, transmitting powers and antenna heights. This dataset is under the sole custodianship of the Authority;

**“Ultra-High Frequency (UHF) TV band”** means the frequency band from 470 to 694 MHz (TV channel 21 – 48);

**“Urban”** means an area typified by wide streets and where building heights are generally less than three stories making diffraction over roof-top likely

**“White Space Device (WSD)”** shall be construed in accordance with Regulation 3.

**“Word Geodetic System 1984 (WGS84)”** means a geodetic system used by the Department of Rural Development and Land Reform as an official ellipsoid for the South Africa’s Hartebeesthoek94 (Hart-94) datum.

## **2 Purpose**

- (1) The purpose of these regulations is to:
- (a) To support the uptake of affordable broadband services and access;
  - (b) Establish the regulatory framework through which the Authority may authorise the use of Dynamic spectrum assignment for Television White Spaces (TVWS);
  - (c) Establish the conditions under which the TVWS must operate in accordance with the National Radio Frequency Plan;
  - (d) Establish standard terms and conditions applicable to the operation of WSDs in the frequency band 470 MHz to 694 MHz;
  - (e) Establish standard terms and conditions applicable to the operation of Geo-location spectrum databases (GLSDs) in the frequency band 470 MHz to 694 MHz;
  - (f) Prescribe conditions for the possession of White Space Devices (WSDs).
  - (g) Establish the mechanisms for ensuring the protection of primary users in the band from harmful interference;

## **3 Characteristics of White Space Devices**

- (1) A White Space Device (WSD) wireless apparatus must be:
- (a) capable to transmit or receive in the frequency band 470 MHz to 694 MHz;
  - (b) Fixed device;
  - (c) Nomadic device;
  - (d) Master device; and
  - (e) Client device.
- (2) Types of WSD:
- (a) A fixed WSD must be a device intended to operate in a fixed location only, and must have either:
    - (i) an integral antenna;
    - (ii) a dedicated antenna; and
    - (iii) an external antenna.
  - (b) A nomadic WSD must be a device intended to operate within a limited coverage area that has either:
    - (i) an integral antenna;
    - (ii) a dedicated antenna;
    - (iii) an external antenna.

- (3) Categories of White Space Devices:

(a) Master WSD must be:

- (i) Fixed WSD with an internal geo-location capability and Internet access to request and receive Operational Parameters from a GLSD.
- (ii) Nomadic WSD with an internal geo-location capability and Internet access to request and receive Operational Parameters from a GLSD.
- (iii) Able to transmit and receive within the frequency band 470 MHz - 694 MHz under specific Operational Parameter limitations.

(b) Client WSD must be:

- (i) Fixed WSD with an internal geo-location capability and does not have direct access to a GLSD to request and receive Operational Parameters.
- (ii) Nomadic WSD with an internal geo-location capability and does not have direct access to a GLSD to request and receive Operational Parameters.
- (iii) able to obtain operational parameters from a Master WSD for use by one Client WSD within a TV white space network served by that Master WSD.
- (iv) able to obtain operational parameters from a Master WSD for use by all Client WSDs within a TV white space network served by that Master WSD.
- (v) able to transmit and receive within the frequency band 470 MHz – 694 MHz under specific Operational Parameter limitations.

#### **4 White Space Device Authorisation.**

- (1) Any person granted authorisation by the Authority to operate WSD, must provide the Authority with a mandatory certification information from an accredited laboratory during network roll-out.
- (2) A WSD must have the capability to automatically communicate with the GLSD during the WSD initialisation and registration with the GLSD operator.
- (3) The GLSD must provide sufficient security to the user to ensure privacy and protection.

#### **5 Avoidance of Harmful Interference**

- (1) The GLSD must provide Operational Parameters to protect primary services from possible harmful interference generated by transmissions of WSD.
- (2) The GLSD must generate technical parameters in response to request by Master WSD.

#### **6 Operational Parameters**

(1) Operational Parameters must include:

- (a) The lower and upper boundaries of each TV channel within the 470 MHz to 694 MHz frequency range within which a WSD may transmit and receive;
- (b) The maximum permitted EIRP spectral density for each TV broadcast channel within which a WSD may transmit;
- (c) The maximum permitted EIRP for each TV channel within which a WSD may transmit;

- (d) The time period during which the Operational Parameters are valid;
- (e) The geographic area within which the Master White Space Device Operational Parameters are valid; and
- (f) The duration (in seconds) within which a Master WSD must regularly check with a GLSD that the Operational Parameters received are still valid.

## 7 Permitted Channels of Operation

- (1) A WSD may operate in the frequency band 470 to 694 MHz, subject to the interference protection requirements set forth in Regulations 5;
- (2) A WSD may operate on available frequencies determined in accordance with the interference avoidance mechanisms in Regulation 5;
- (3) A WSD may not operate on a co-channel basis with broadcast television stations in the same area guided by the GLSD; and
- (4) Client WSDs may only operate on available frequencies determined by a Master WSD.

## 8 Location Specific Maximum Permitted Radiated Power Levels

- (1) The maximum EIRP shall be in accordance with Table 1.
- (2) The GLSD may instruct the Master WSD to operate at lower power level in order to meet the co-channel and adjacent channel suppression limitations.

**Table 1: Location specific maximum permitted EIRP and EIRP spectral density**

Location	Maximum EIRP per 8 MHz channel	EIRP Spectral Density per 100 kHz
Urban	36 dBm	17 dBm
Rural	41.2 dBm	22.2 dBm

## 9 Operation of WSD Immediately Adjacent to a Broadcast TV Channel

- (1) A WSD operating immediately adjacent to the occupied Television channels must have the out-of-band-emissions based on the Adjacent channel leakage ratios (ACLRs) established for the WSD emission classes prescribed in Table 2.

**Table 2 ACLRs per classes of WSDs on the first adjacent TV channel.**

Device Emission Class	ACLR
Class 1	74 dB
Class 2	74 dB
Class 3	64 dB
Class 4	54 dB
Class 5	43 dB

- (2) The out-of-band power (EIRP) spectral density shall be measured in the first 100 kHz beyond the channel edge.
- (3) The out-of-band power (EIRP) spectral density shall be greater than the measured in-band transmit power spectral density over 8 MHz minus the ACLR (-84 dBm).

## **10 Requirements for White Space Devices to Access the Geo-Location Spectrum Database**

- (1) The communication between the GLSD and the Master WSD must comply with the latest version of Protocol to Access White Space Databases (PAWS), Internet Engineering Task Force (IETF), RFC 7545.
- (2) The Master WSD must initiate communication with the GLSD.
- (3) The GLSD must acknowledge the initial request from the Master WSD.
- (4) The Master WSD in registering with GLSD must provide:
  - (a) information specifying that it is a Master device;
  - (b) the Master device's unique identifier;
  - (c) the type approval identification designated by the Authority
  - (d) information of the Master device owner;
  - (e) information of the device operator;
  - (f) information specifying that the Master device is Fixed;
  - (g) information specifying that the Master device is Nomadic;
  - (h) the geographic location of its antenna expressed in latitude and longitude coordinates;
  - (i) the geo-location uncertainty of its antenna not exceeding 50 metres.
  - (j) Storage capacity in the device for geo-location uncertainty; and
  - (k) the confidence interval of 95% report to the GLSD.
- (5) The GLSD must validate the accuracy and authenticity of the information;
- (6) The GLSD must decide on the registration of the Master WSD;
- (7) The Master WSD in requesting for the Operational Parameters from the GLSD, must provide:
  - (a) information specifying that it is a Master device;
  - (b) the Master device's unique identifier;
  - (c) the type approval identification designated by the Authority
  - (d) information specifying that the Master device is Fixed;
  - (e) information specifying that the Master device is Nomadic;
  - (f) the geographic location of its antenna expressed in latitude and longitude coordinates;
  - (g) the geo-location uncertainty of its antenna not exceeding 50 metres.
  - (h) Storage capacity in the device for geo-location uncertainty; and
  - (i) the confidence interval of 95% report to the GLSD.
- (8) The GLSD upon receipt of the request from the Master WSD may provide Operational Parameters;
- (9) Upon receipt of the Operational Parameters the Master WSD must:
  - (a) communicate periodically its usage of TVWS channel to that GLSD;



- (b) communicate periodically with the GLSD to confirm the validity of the Operational Parameters.
- (10) The GLSD must instruct the Master WSD to end its operation when Operational Parameters are no longer valid.
- (11) When Operational Parameters are no longer valid:
  - (a) Master WSD must communicate an instruction to all Client devices associated to that Master device to stop transmission; and
  - (b) Master WSD must stop transmission.
- (12) The Master WSD must perform network initialisation with the Client WSD using the TVWS channels obtained from the GLSD.
- (13) The Client WSD must communicate through the Master WSD the following information to the GLSD for registration purposes:
  - (a) information specifying that it is a client device;
  - (b) the associated Master WSD;
  - (c) the client device's unique identifier;
  - (d) the type approval identification designated by the Authority
  - (e) information specifying that the client device is Fixed;
  - (f) information specifying that the client device is Nomadic;
  - (g) the geographic location of its antenna expressed in latitude and longitude coordinates;
  - (h) the geo-location uncertainty of its antenna not exceeding 50 metres.
  - (i) Storage capacity in the device for geo-location uncertainty; and
  - (j) the confidence interval of 95% report to the GLSD.
- (14) The Master WSD must provide Operational Parameters to the associated client WSD.
- (15) Master WSD must communicate an instruction to all Client WSDs associated to that Master WSD to stop transmission, when Operational Parameters are no longer valid;
- (16) When Operational Parameters are no longer valid the Client WSD must stop transmission.

## **11 Requirements for Installers of White Space Devices**

- (1) Fixed WSDs shall be installed by an installer of wireless equipment in possession of a radio dealer certificate issued by the Authority.
- (2) Fixed WSDs shall be installed by an installer of wireless equipment certified by an accredited institution.
- (3) The installer must not reconfigure or tamper with any technical operational features settings of the WSD.
- (4) The installer must ensure that characteristics of the WSD remain constant.
- (5) The installer must ensure that the WSD complies with type approval certificate.

## **12 Antenna Requirements and Limits**

- (1) Fixed WSD must at first power-on, and at any time after it has been relocated:



- (a) store its geo-location;
  - (b) Store the antenna height;
  - (c) The maximum permitted transmit antenna height of Fixed WSD must be 30 m above ground level (AGL);
  - (d) The maximum permitted transmit antenna height must not be located where the height above average terrain (HAAT), as calculated by the GLSD, is greater than 250 m; and The Authority may approve deviations from this restriction on a case-by-case basis, in approving an alternative means of interference mitigation in the GLSD.
- (2) The default antenna height of a Nomadic WSD must be recorded by the GLSD as 1.5 m above ground level, unless the WSD notifies the GLSD otherwise.
- (3) The Nomadic WSD must have 7 dB of power to compensate for in-building penetration loss when operating indoors.

### **13 Frequency of GLSD Access**

- (1) A Master WSD must access the GLSD once every twelve (12) hours to verify that the Operational Parameters continue to remain available.
- (2) Each Master WSD must adjust its use of TVWS channels provided the Operational Parameters are still valid.

### **14 Continuous Operations**

- (1) The Master WSD may continue to operate up to 48 hours after the last GLSD access where after it must cease its operation.
- (2) The Master WSD must re-establish contact with the GLSD and verifies its Operational Parameters.
- (3) The client WSD must cease operation immediately if it does not receive a contact verification signal from the associated Master WSD;
- (4) The client WSD must re-establish a contact with the associated master WSD within 900 seconds of last contact.
- (5) The Client WSD device must then receive the Operational Parameters from the associated Master WSD.

### **15 Geo-location Spectrum Database Security Mechanisms**

- (1) Communications security must be instituted to ensure that GLSDs are protected from unauthorised data input.
- (2) authentication procedures must be instituted to ensure that GLSDs are protected from unauthorised alteration of stored data.
- (3) Communications between the GLSD and WSDs must be secured to prevent unauthorized parties from accessing information during transmission.
- (4) GLSD must incorporate sufficient security measures to prevent the unauthorised WSDs from accessing GLSDs.

## **16 Responsibilities of Geo-Location Spectrum Database Operators**

### **Reference GLSD**

- (1) The Authority, directly or through a designated delegated entity, will develop and operate a reference GLSD and will:
  - (a) maintain a reference GLSD that contains information about incumbent licensees to be protected;
  - (b) implement propagation algorithms and interference parameters issued by Authority to calculate country-wide map of baseline Operating Parameters for WSDs.
  - (c) The maps are to be utilised as regulatory limits when verifying accuracy of secondary GLSDs;
  - (d) update the algorithms or parameter values as necessary for good spectrum coordination;
  - (e) establish a technical procedure for approving entities wishing to operate secondary GLSDs; and
  - (f) from time to time use the reference GLSD for verification and monitoring purposes on the accuracy of results given by secondary GLSD operators

### **Secondary GLSD**

- (2) The Authority may designate entities to operate secondary GLSDs after undergoing a technical examination.
- (3) Each secondary GLSD operator designated by the Authority must:
  - (a) maintain a database that contains information about incumbent licensees to be protected;
  - (b) establish a process in the secondary GLSD for synchronising and acquiring necessary technical information from the reference GLSD at least once a week to include newly licensed facilities or any changes to licensed facilities;
  - (c) establish a process for registration of Master WSDs;
  - (d) implement propagation algorithms and interference parameters prescribed by the Authority to calculate and provide accurate Operational Parameter to Master WSDs;
  - (e) establish protocols and procedures to ensure that all communications and interactions between the GLSD and Master WSDs are accurate and secured
  - (f) that unauthorized parties cannot access or alter the database or the Operational Parameters;
  - (g) respond in a timely manner to verify, correct and/or remove, as appropriate, data in the event that the Authority or a party brings a claim of inaccuracies in the GLSD to its attention.
  - (h) have functionality such that upon request from the Authority it can indicate that no TVWS channels are available when queried by WSDs;
  - (i) not discriminate between WSDs in providing the minimum information levels; and
  - (j) may provide additional information to certain classes of devices.

### **Service fees**

- (4) A secondary GLSD operator may charge a fee to the TVWS network operators for;

- (a) registration of WSDs; and
- (b) the provision Operational Parameters to Master WSDs.

## 17 Display of Available Channels

- (1) A Master WSD must incorporate the capability to display a list of TVWS channels given to it by the GLSD including the channels selected for use;
- (2) The Master WSD must fulfil this requirement by a built-in display.

## 18 Labelling Requirements

A WSD must bear the following statement in conspicuous location on the device:

*“This device complies with applicable regulations promulgated by the Authority. Operation is subject to the following conditions: (1) this device may not cause harmful interference. (2) This device must accept any interference received.*

## 19 User Instructions Regarding Correction of Harmful Interference

The text of the user manual for a WSD, in whatever form it is provided (printed, electronic or on-line) shall include the following statement placed in a prominent location within the manual:

**This equipment has been tested and found to comply with the technical rules and regulations for WSDs, consistent with all applicable regulations issued by the Authority.**

**These rules have been formulated to furnish reasonable protection against harmful interference. This equipment generates radio frequency energy and, if not installed and used in accordance with the instructions, may cause harmful interference to protected primary services. If this equipment does cause harmful interference to radio or television reception, the user shall correct the interference by one or more of the following measures:**

- (1) Reorient or relocate the receiving antenna of the WSD and/or broadcast receiver.**
- (2) Increase the separation between the equipment and the receiver.**
- (3) Connect the equipment into an outlet on a circuit different from that to which the receiver is connected.**
- (4) Consult the manufacturer, dealer or an experienced radio / TV technician for help.**
- (5) If the interference cannot be resolved, operation of this device shall be discontinued.**

## 20 Compliance with Radio Frequency Exposure Requirements

A fixed WSD must be accompanied by instructions on measures to ensure that persons maintain a distance of at least 7.5m from the device during operation, as well as any necessary hardware that may be needed to implement that protection. These instructions shall be displayed in all formats of the user manual.

## **21 WSD Operations near International Borders**

WSDs must operate in a manner that will not cause harmful interference to broadcasting and other services in neighbouring countries<sup>2</sup>.

## **22 Offences, Contraventions and Penalties**

Operations in the TVWS without authorisation and in contraventions of these regulations is a criminal offense and subject, on conviction, to:

- (a) A fine not less than R100,000, but not exceeding R1,000,000; and/or
- (b) Imprisonment of not less than a month, but not exceeding six months.

## **23 Short Title and Commencement**

These regulations are called “Regulations on the use of Television White Spaces” and shall come into force upon publication in the government gazette.

End///

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<sup>2</sup>. [http://www.crasa.org/crasa-publications-details/id/105/memorandum-of-understanding-on-cross-border-coordination-on-radio-communication-services-sadc./](http://www.crasa.org/crasa-publications-details/id/105/memorandum-of-understanding-on-cross-border-coordination-on-radio-communication-services-sadc/)

**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA**  
**NOTICE 284 OF 2017**



**GENERAL NOTICE – SUBMISSION OF FINANCIAL INFORMATION FOR 2016/2017  
ANNUAL COMPLIANCE BROADCASTING AND ELECTRONIC COMMUNICATIONS  
SERVICES (ECS) AND ELECTRONIC COMMUNICATIONS NETWORK SERVICES  
(ECNS) LICENSEES**

1. The Independent Communications Authority of South Africa ("the Authority") has a mandate in terms of the Independent Communications Authority of South Africa Act No. 13 of 2000 ("ICASA Act"), as amended and the Electronic Communications Act No.: 36 of 2005 ("ECA"), as amended to regulate Broadcasting and Electronic Communications Services ("ECS") and Electronic Communications Network Services ("ECNS"), in the public interest.
2. Section 4(3)(g) of the ICASA Act, provides that *"the Authority may, by notice in writing, direct the holder of a licence in terms of the underlying statutes to produce or furnish to the Authority, at a time and place specified in the notice, any documents and information specified in such notice and relating to any matter in respect of which a duty or obligation is imposed on such a licensee by this Act or the underlying statutes"*.
3. The ICASA General Licence Fees Regulations, 2012 ("the GLF Regulations"), regulation 5 of Schedule 3, as amended requires every Broadcasting and ECS/ECNS licensee to submit an annual forecast of licence fees using the format in regulation 1 of Schedule 3 of the GLF Regulations, on or before the end of April every year.
4. Therefore, the Authority hereby calls upon every Broadcasting and ECS/ECNS licensee, to submit an annual forecast of licence fees and the Universal Service and Access Fund contribution, in keeping with the Annual Turnover definition in the Universal Service and Access Fund Regulations, published in government gazette no. 34010, dated 10 February 2011.
5. Further, only Broadcasting service licensees pay a certain portion to the Media Development and Diversity Agency ("MDDA"). Therefore, in their respective submissions every Broadcasting service licensee must specify a portion of the amount each will pay to the MDDA.
6. In addition, every Broadcasting and ECS/ECNS licensee must also submit a trial balance; detailed management accounts and reconciliations of the trial balance; and a calculation of the forecast of the licence fees and universal service and access fund contribution.



7. A Licensee that may not be in operation yet, is referred to regulation 5 (4) and (5) of the Standard Terms and Conditions Regulations for Individual Licences, 2016, as amended, which provide as follows: "
- a. Where a Licensee has not commenced operations, it must provide the Authority with a letter from external auditors confirming that it has not generated any revenue from the licensed service.*
- b. Where a Licensee is not legally required to have audited financial statements, it must submit a letter from an independent accounting officer and must submit a clearance certificate from the South African Revenue Services as proof that it did not generate any revenue from the licensed service."*
8. Every Broadcasting service and ECS/ECNS licensee therefore, **must submit on or before 30 April 2017**, the requisite information referred to in this notice to the following contact persons:
- For Broadcasting**  
ATTENTION: Ms Fikile Hlongwane  
By e-mail: [FHlongwane@icasa.org.za](mailto:FHlongwane@icasa.org.za)
- For ECS/ECNS**  
ATTENTION: Mr Moyeni Nkosinkulu  
By e-mail: [Ecsecns.compliance@icasa.org.za](mailto:Ecsecns.compliance@icasa.org.za)
9. Any licensee that fails to submit the required information by the deadline referred to above, will be in contravention of section 4(3)(g) of the ICASA Act and schedule 3 of the GLF Regulations. If found guilty of contravening the aforementioned legislative and regulatory requirements, a licensee may be liable to pay a fine of up to R1 000 000 (one million rands).



**Rubben Mohlaloga**  
**Acting Chairperson**

**INDEPENDENT COMMUNICATIONS AUTHORITY OF SOUTH AFRICA  
NOTICE 285 OF 2017**



**2016 MUNICIPAL ELECTIONS COVERAGE: COMPLIANCE REPORT**



**DECEMBER 2016**



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Acting Chair: ICASA



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Deputy-EMC



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DECEMBER 2016



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19. Selwyn Sinclair	39. Sipho Molohlanyi
20. Nkululeko Kodisang	40. Limpho Mothabeng

**INDEPENDENT ELECTORAL COMMISSION (IEC)**

**EXTERNAL SERVICE PROVIDER**

Salovy Square (Pty) Ltd

**COURIERS:**

Katlego Global Logistics

# SECTION 1

## PROJECT REPORT

### **1.1 INTRODUCTION AND BACKGROUND**

Since 1994 with the first democratic elections, South Africa has seen a well-established tradition of democratic elections just like other countries in developed and some developing countries. The municipal elections held on 3 August 2016 were conducted in pursuit of this tradition and by and large demonstrated the credibility of the municipal elections process in South Africa; characterized by a transparent elections process conducted by the Independent Electoral Commission ("IEC").

The August 3, 2016 municipal elections were the 5th municipal elections held in South Africa after the democratic dispensation. These elections (2016 municipal elections) came five years after the previous municipal elections held in 2011. Over 200 political parties contested the 2016 municipal elections. Whereas the 2011 municipal elections had seen the ruling party ("ANC") emerge as the strongest force followed by the Democratic Alliance (DA) and other parties respectively; the 2016 municipal elections demonstrated a change in South Africa's political landscape as evidenced in the IEC's elections results.

### **1.2 LEGISLATIVE FRAMEWORK**

The Electronic Communications Act No. 36 of 2005 (the "ECA"), and more specifically sections 56, 57, 58 and 59; is the primarily law that empowers the Authority to regulate and monitor Party Elections Broadcasts ("PEB's"), Political Advertisements ("PA's") and treatment of political parties by broadcasting Licensees during election period. Coupled to this are the Regulations on Party Election Broadcasts, Political Advertisements, the Equitable treatment of Political Parties by Broadcasting Licensees and Related Matters as published by the Authority from time to time. In this regard the regulations applicable are the Regulations on Party Election Broadcasts, Political Advertisements, the Equitable treatment of Political Parties by Broadcasting Licensees and Related Matters in Respect of

Municipal Elections Broadcasting, as amended in 2016<sup>1</sup> (the "2016 Regulations").

Section 2 of the ECA sets out the primary objects of the legislation and require the Authority, in its regulatory framework, to ensure *amongst others*; that broadcasting services, viewed collectively, provide for regular news services; actuality programmes on matters of public interest; programmes on political issues of public interest; and programmes on matters of international, national, regional and local significance.

In addition, the Constitution of the Republic of South Africa Act No. 108 of 1996 (the "Constitution"), serves as the central legislative framework which the Authority uses to regulate elections as it comprises guarantees protecting rights as set out in Chapter 2 thereof, including but not limited to the right to freedom of expression<sup>2</sup>. The right to freedom of expression includes not only the right to express one's views but also the freedom to impart or receive expression and ideas which right is essential "for the effective expression of political opinions and views during an election"<sup>3</sup>.

Accordingly, it is within this legislated jurisdiction that the Authority's report provides a detailed account of the performance of broadcasting service Licensees in giving effect to the afore-mentioned constitutionally enshrined right. In addition to the SABC which is enjoined in terms of section 57 of the ECA to cover elections and specifically broadcast PAs and PEBs during the election period, this report covers the performance of all other Licensees during this period.

### **1.3 THE PROJECT PROCESS AND METHODOLOGY**

#### **1.3.1 Council Committee**

A Committee of Council, the Elections Monitoring Committee ("the Committee") was established in terms of Section 17 of the ICASA Act No. 13 of 2000 as amended (the "ICASA Act") to deal with the monitoring of broadcasting licensees' coverage of the 2016 municipal elections. The

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<sup>1</sup> Government Gazette No. 39738 Notice No. 3 of 26 February 2016

<sup>2</sup> Section 16 of the Constitution

<sup>3</sup> Canada parliamentary elections report dated 23 January 2006.

Committee comprised of three Councillors as well as representatives from Policy Research and Analysis ("PRA"), Licensing, Compliance and Consumer Affairs ("CCA"), Legal, Risk and CCC divisions. The Committee commenced its work from 21 April 2016.

### **1.3.2 Workshops, Number of Participating Licensees and Monitored Period**

The Authority conducted workshops with broadcasting Licensees from 18-31 March 2016 in all 9 provinces. The purpose of the workshop was to educate the Licensees of their rights and obligations during the election period.

Assessment of broadcasters' coverage of the 2016 municipal elections commenced in April -12 August 2016. The rationale for commencing in April was to determine whether licensees broadcast PAs prior to the proclamation of the election date. As will be discussed later in this report, certain licensees were found to be in contravention of the ECA and the 2016 Regulations for broadcasting PAs outside of an election period.

A total of 104 broadcasting Licensees participated during this period as follows:

- 70 community sound and TV broadcasting licensees;
- 12 commercial radio stations;
- E.tv;
- 18 public sound broadcasting services (SABC radio stations); and
- 3 SABC TV channels.

Of the above Licensees, a sizable number (73 community Licensees, 1 commercial Licensee excluding SABC which is enjoined by law to participate) elected to broadcast PEBs, PAs, news and current affairs programmes during the election period and the rest elected not to broadcast PEBs.



### **1.3.3. Methodology**

#### **1.3.3.1 Design Methodology**

In order to fulfil its mandate effectively, efficiently and timeously, the Authority contracted Salovy Square (Pty) Ltd to develop the software to capture and analyse data monitored by the compliance team during the monitoring process and to perform on-going data analysis and audit functions to ensure the integrity and safety of all information monitored and captured. The design methodology for the monitoring process and accompanying software was intended to make the process as simple and efficient as possible. The approach relied on a simple yet effective use of technology to capture information in standard format. This format was predefined using master data sheets and preformatted capture format. This approach guaranteed a high level of monitoring and capture accuracy thereby providing a high-quality volume of data that could be quantitatively and qualitatively analysed. Salovy Square (Pty) Ltd conducted training workshop with the monitoring team to ensure thorough understanding by the entire team of the process that would be used throughout the monitoring period.

#### **1.3.3.2 Capture Process**

Drawing from the legal prescripts governing the elections, the Authority's capture process entailed the following during the performance period:

- Programme name, where applicable
- Broadcast Time
- Broadcast Type:
  - PEB;
  - PA;
  - Current Affairs broadcast;
  - News item; and
  - PSA (Public Service Announcement)

- The geographic focus of the election material (i.e. national or provincial)
- Language – the process allowed for up to 4 languages per item should that be required
- Duration of item – minutes and seconds (up to a maximum of 99 minutes)
- Primary Topic – the primary topic of the specific item being monitored
- Secondary Topic – if the item or persons in the item covered other issues outside of the primary topic
- Relevance Flag (subjective) – this would be marked if the secondary topic was discussed at a detailed level yet was still not the primary topic – e.g. Municipal Corruption as a primary topic and Tender irregularities as a secondary topic.
- Political Parties – this referred to the political parties involved in the specific item being monitored. The item line allowed for up to 10 different political parties or specifically identified political or non-political parties who may have had a significant impact on the 2016 municipal elections.

#### **1.4 Limitations**

The major limitation pertaining to the monitoring period revolved around the fact that some recordings received from community broadcasting service Licensees were either blank or damaged resulting in the Authority's inability to monitor election related content and coverage thereof by the affected Licensees. Notwithstanding this limitation, the Authority was able to monitor a total of 34010 items during the elections period which in the Authority's assessment is significantly representative of coverage of elections by participating Licensees.

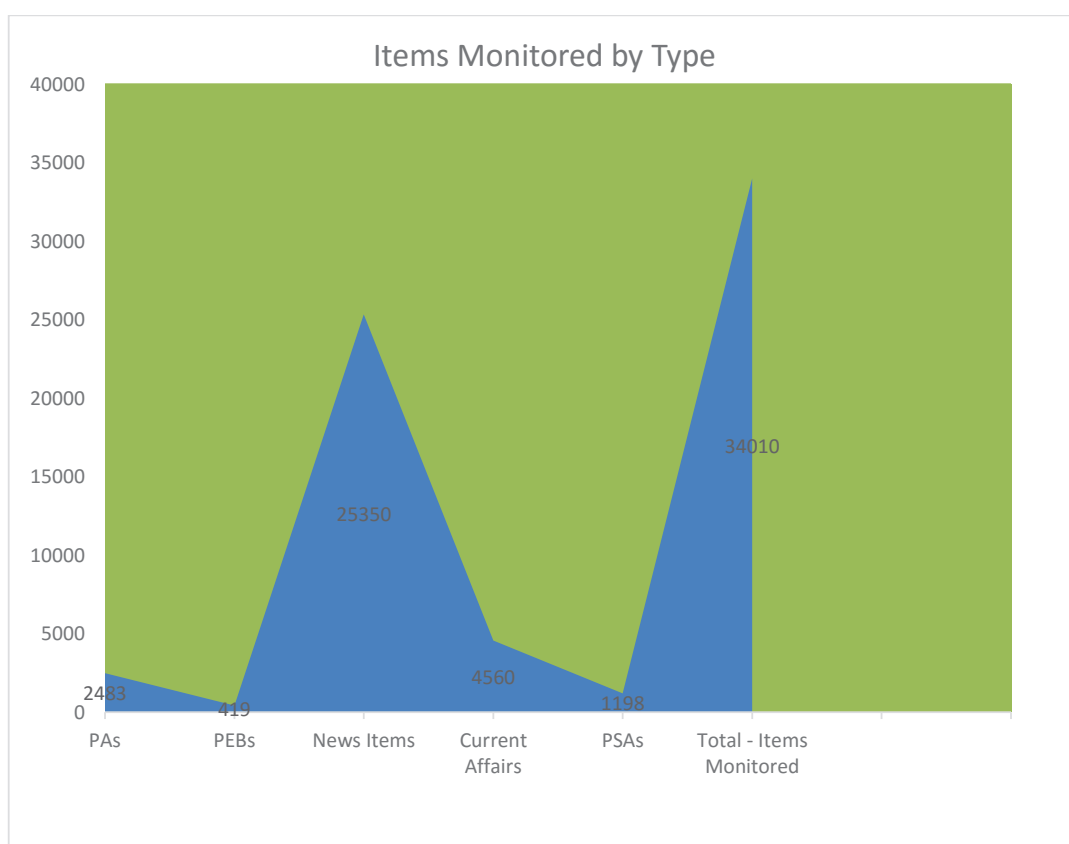
# **SECTION 2**

## **DATA AND MONITORING ANALYSIS**

## 2. FINDINGS ON BROADCAST OF POLITICAL ADVERTISEMENTS, PARTY ELECTION BROADCASTS, CURRENT AFFAIRS, NEWS AND PUBLIC SERVICE ANNOUNCEMENTS

This section provides a summary of the findings relating to broadcast content on TV and radio during the elections period. The total items monitored as well as breakdown of each category are reflected in Graph 1 below.

**Graph 1: Total Items Monitored**



## 2.1 Political Advertisements (PAs)

The ECA ( 2005) defines a political advert as " an advertisement broadcast on a broadcasting service which is intended or calculated to advance the interests of any particular political party, for which advertisement the relevant broadcasting service licensee has received or is to receive, directly or indirectly, any money or other consideration" (ECA, 2005, p.79) In defining political advertising, Tak, Kaid and Lee (2008, p. 175)<sup>4</sup> posit that it is "an overt function to persuade voters". On the other hand, McNair (1999)<sup>5</sup>, states that this refers to the buying and usage of advertising space, paid for at a commercial rate, to convey political messages to an audience. Whilst not dismissing these definitions, Cheng (2014, Sec 27, para. 2)<sup>6</sup> argues that political advertising "can be seen as a mirror of political culture, playing an active role in the construction of political reality".

With these definitions in mind, and taking into cognisance McNair's understanding of political advertising, during elections arrangements for paid airtime lie solely with broadcasters. Accordingly, each party places its PAs within the limits of its election budget and expenses. Whilst the Authority's role is to regulate elections coverage by Licensees, its regulation of PAs does not necessarily focus on how the images portrayed or messages broadcast on these services persuade voters to vote for political parties. Rather the focus of the regulation is on whether these images and broadcast messages are likely or calculated to incite violence during the election period (and thus fall beyond the scope of constitutionally protected guarantee to freedom of expression) and whether Licensees adhere to the principles of independence and impartiality for this type of broadcast (which principles are applicable to PEBs, news and current affairs).

During the 2016 elections period, a total of 2483 PAs were monitored. Most political parties could not afford to have their political adverts broadcast, an

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<sup>4</sup> Tak, J., Kaid, L., and Lee, S. (1997). "A cross-cultural study of political advertising in the United States and Korea. *Communication Research*, 24, pp.413–430.

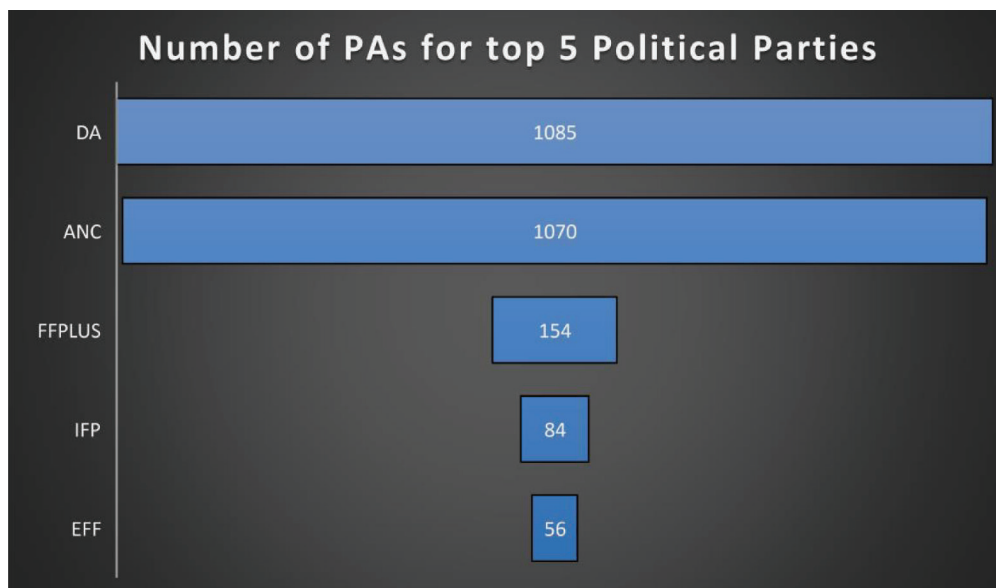
<sup>5</sup> McNair, B. (1999). *An introduction to political communication*. 2nd edition. London: Routledge.

<sup>6</sup> Cheng, H. (Ed.). (2014). *The handbook of international advertising research*. John Wiley & Sons. Accessed on 18 November 2016 from <https://books.google.co.za/books?isbn=1118378458>

indication that the system of PAs seems to favour more developed political parties with financial muscle or some degree of financial muscle. Graph 2 below shows the top 5 political parties who received more airtime compared to other political parties or perhaps smaller parties. The DA had the highest number of PAs (43,6%) compared to other parties, followed by the ANC (43,09%), FFPlus (6.2%), IFP (3.3%) and EFF (2.2%).

What is interesting to note is that although the DA had the highest number of PAs, the ANC had more airtime for its PAs (18: 55: 39) compared to DA (14:56:47), EFF (02: 22: 22), FFPlus (01:09:46) and IFP (00:53:44). This is attributed to the actual length of the PAs per political party, resulting in the variance in this regard which has no bearing on fair coverage per party in respect of PAs.

**Graph2: PAs for top 5 Political Parties**



What is also interesting is the increase in the number of PAs for political parties from the 2011 elections but more so the number of PAs by the new kid on the block entering the municipal elections for the first time (the EFF), albeit few when compared to the first 4. By way of comparison, the Authority's statistics for the 2011 municipal elections reveal that of the overall 999 PAs monitored, the ANC was leading with 456 (45.6%) PAs

followed closely by DA with 420 (42%) PAs, FFPlus came third with 68 (6.8%) PAs, Minority Front with 35 (3.5%) PAs and IFP with 4 (0.4%) PAs.

Sections 56 and 58(2) and (6) of the ECA read with regulation 6(1) and (13) of the 2016 Regulations prescribes the following in respect of broadcast of PAs:

- A broadcasting licensee may broadcast a political advertisement only during an election period and then only if it has been submitted to such licensee on behalf of a political party by its duly authorised representative;
- No political advertisement may be broadcast later than 48 hours prior to commencing of polling period; and
- A broadcasting service licensee must not transmit a PA immediately before or after another PA.

While many of the Licensees complied with both the ECA and the 2016 Regulations during this period, the Authority's monitoring revealed that 6 Licensees (5 community radio stations and 1 SABC radio station) did not comply with the above-mentioned prescripts. The affected Licensees are listed below as follows:

- Motheo FM;
- Jozi FM;
- Kasie FM;
- Voice of Tembisa (VOT) FM 87.6;
- Soshanguve Community Radio; and
- SABC's Radio SonderGrense (RSG).

Details of contraventions and the outcomes thereof are contained in Section 3 of this report dealing with processing of complaints and Complaints and Compliance Committee matters.

## 2.2 Party Election Broadcasts (PEBS)

The ECA (2005, p.79) defines a PEB as “a direct address or message broadcast free of charge on a broadcasting service and which is intended or calculated to advance the interests of any particular political party”. The obligation to allocate PEBs (free airtime) to contesting political parties<sup>7</sup> during an election broadcast period lies with the Authority. This is done per the formula based on the principles set out in the Regulations (in this instance the 2016 Municipal Elections Regulations as referred to above). The main concept that serve as the foundation for the allocation of PEBs by the Authority is the principle of equity in covering the several political parties over and above coverage in respect of news and current affairs programming.

With the growth in the number of contesting political parties, there has been an increase in the overall number of PEBs allocated to political parties, despite the limited time frames within which the final list of contesting parties has been released by the IEC. However, the IEC has had to contend with some legal issues including waiting for a court decision on the National Freedom Party (NFP)’s exclusion from participating in the municipal elections and other incidental matters before the final list could be released and submitted to the Authority.

For these elections, a total of 2144 PEBs were allocated to 201 registered and contesting political parties, for use by the political parties to not only lobby for votes but to allow the citizens to make informed decisions on which party to vote for between the election broadcast period and 48 hours before polling day. It must be noted that smaller parties have during this period, rarely, if ever, used any of the PEBs apportioned to them. This could be attributed to them being unable to afford such things as high production costs. In the same vein, some of the larger parties did not use their full allocation on other stations due to failure to meet the 5-working day deadline within which to submit their PEBs prior to broadcasts.

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<sup>7</sup> According to the current legislative framework, independent candidates are not entitled to free airtime/PEBs.

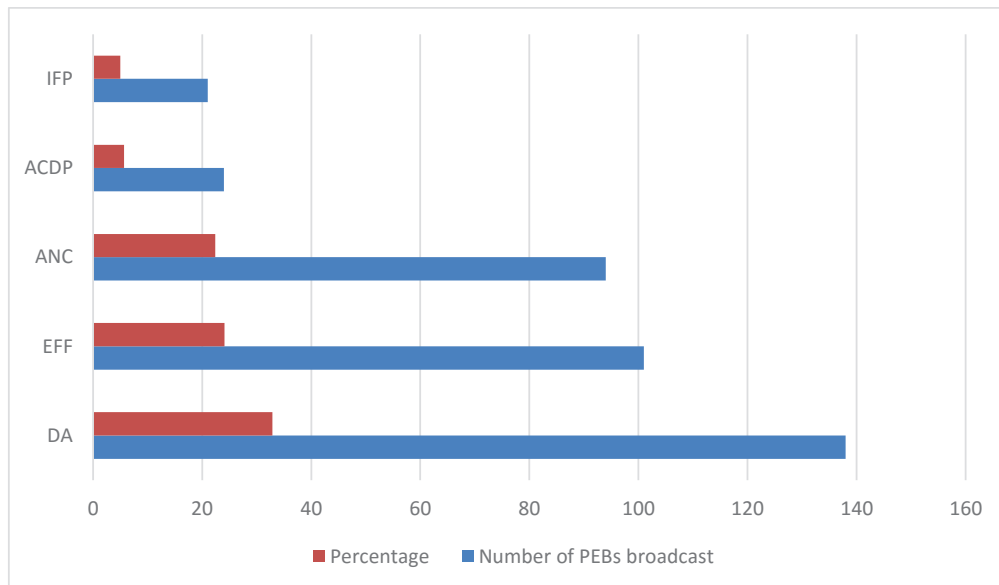


Consequently, the Authority monitored a total of 419 PEBs as reflected in Table 1 below:

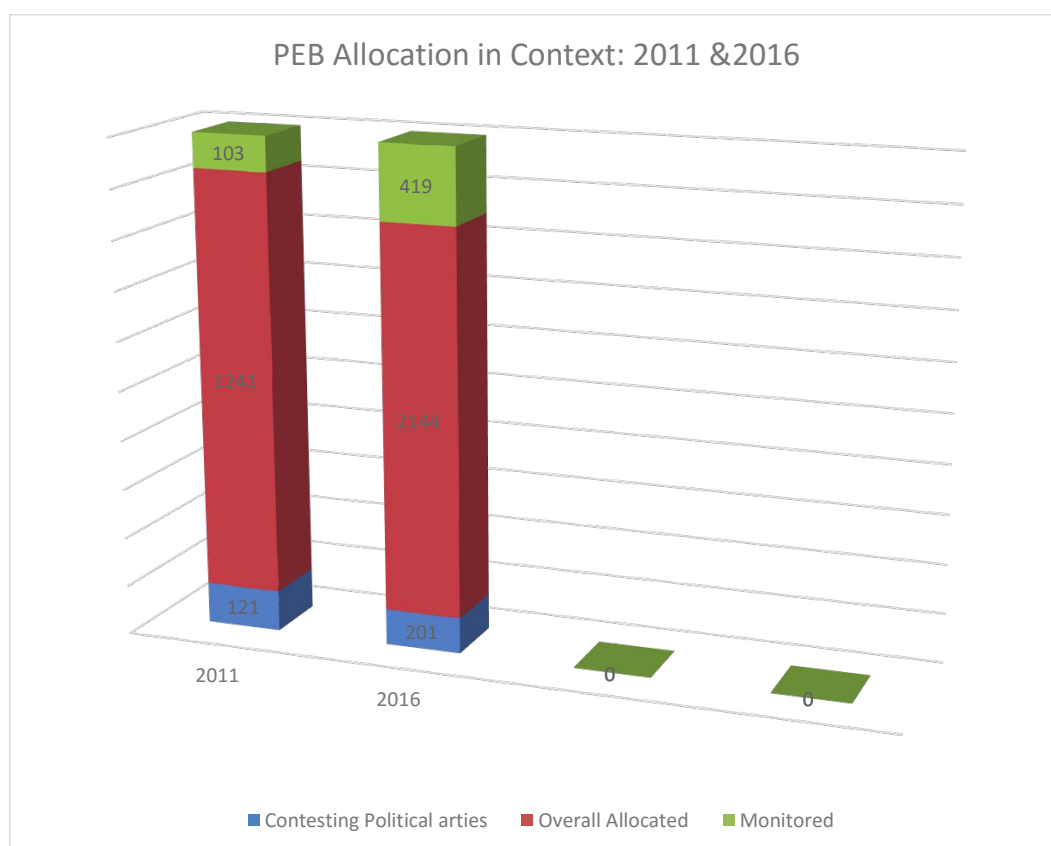
**Table 1: PEBs Monitored per Political Party**

<b>Party</b>	<b>Number of PEB's Monitored</b>
African National Congress (ANC)	94
African Independent Congress (AIC)	6
Democratic Alliance (DA)	138
Economic Freedom Fighters (EFF)	101
African Christian Democratic Party (ACDP)	24
Congress of the People (COPE)	17
Inkatha Freedom Party (IFP)	21
African People's Convention (APC)	8
Bushbuckridge Resident's Association	3
African Moderates Congress (AMC)	1
United Democratic Movement (UDM)	1
United Residents Front	5
<b>Grand Total</b>	<b>419</b>

The Authority's monitoring revealed that the DA had the highest number of PEBs transmitted at 33% followed by EFF at 24.1%. The ANC came third at 22.4% with ACDP being number four at 5.7% followed by the IFP with 5%. The top 5 parties are shown in graph 3 below.

**Graph 3: top 5 Political Parties Receiving PEB Coverage**

The above comparison is made with caution and is treated as indicative of the PEBs submitted to participating Licensees and not necessarily indicative of the number of PEBs allocated per party for the duration of the PEB period. Further, it is also necessary to highlight the trend/s in the allocation of PEBs by the Authority as this can be used as a measuring yardstick as to the effectiveness of this system. As indicated above, with the increase in the number of political parties at municipal level, there has also been a corresponding increase in the number of PEBs allocated by the Authority. The graph below shows the breakdown in respect of the PEBs allocated against those that were monitored.

**Graph 4: PEBs in Context**

This graph shows that whilst strides have been made by the Authority to provide free air time to contesting political parties as contemplated in section 57(2) of the ECA, more still needs to be done from the political parties' perspective to ensure optimal use of the airtime allocated, notwithstanding challenges that smaller parties might encounter related to production costs as alluded to above. This can be achieved through attendance by smaller and bigger political parties of all the workshops conducted by the Authority from consultative process/es leading to allocation of PEBs.

As regards compliance by Licensees with the broadcast of PEBs during the elections, there are three main provisions of the 2016 Regulations which

were contravened by Licensees. These are regulation 4(13), regulation 4(15) and regulation 4(18) of the 2016 Regulations. The contraventions were by Aganang FM, Ukhosi FM, Ligwalagwala FM and Metro FM respectively. Details of all contraventions are outlined under Section 3 of this report dealing with processing of complaints and Complaints and Compliance Committee matters.

## **2.3 News and Current Affairs Programming**

Section 2 of the ECA states that the primary purpose of the Act is to *amongst others*; provide for the regulation of electronic communications within the Republic in the public interest and for that purpose to, *inter alia*:

- Ensure that broadcasting services, viewed collectively, provide for regular news services; actuality programmes on matters of public interest; programmes on political issues of public interest; and programmes on matters of international, national, regional and local significance.

On this basis, the analysis of the sections below in relation to news and current affairs is premised on the overall political parties' coverage by broadcasting service Licensees who participated as a collective as opposed to individual Licensees.

### **2.3.1 Current Affairs Programming**

A total of 4,560 current affairs items were monitored for 11,070 incidences of parties or organisations (79 parties / organisations represented). The table below shows coverage for the top 15 political parties excluding other organisations such as NGOs, IEC, Religious Leaders etc.

**Table 2: Political Party Coverage- Current Affairs**

<b>Party</b>	<b>Number of Current Affairs Items</b>	<b>Total Duration</b>
African National Congress (ANC)	2356	356:45:39
Economic Freedom Fighters (EFF)	1124	198:43:04
Democratic Alliance (DA)	1065	194:00:52
Inkatha Freedom Party (IFP)	194	42:00:37
Congress of the People - COPE	174	39:29:55
UDM	132	32:41:01
National Freedom Party	101	17:24:04
Freedom Front Plus	67	15:37:55
Pan Africanist Congress OF Azania	60	13:34:20
African Christian Democratic Party	60	17:00:55
Contralesa	25	6:37:57
African Independent Congress	20	4:06:10
African People's Convention	19	4:55:13
Agang	16	1:43:29
Azanian People's Organisation	16	6:02:28

Based on the above top 15 political parties, it is evident that the ANC received the most coverage followed by the EFF, DA, IFP, COPE, UDM, NFP and FFPlus. Some Licensees performed better than others in terms of reasonable spread and coverage of political parties' current affairs programmes during this period. Nevertheless, it can be argued that as a collective, Licensees endeavoured to cover a range of political parties during the election period thereby ensuring diversity of views as contemplated in section 192 the Constitution.

As indicated above, at the heart of regulation of current affairs and news programming are the principles of independence, meeting highest standards of journalistic professionalism and impartiality by broadcasting

Licensees. According to the European Broadcasting Union (EBU) (2005)<sup>8</sup> these aspects are some of the critical factors which determine, "the success of any election coverage" (p.10).

One Licensee, Rhodes Music Radio, was found to have contravened regulation 11(2) the Code of Conduct for Broadcasting Licensees<sup>9</sup> as well as section 59 of the ECA (and directly the above-mentioned principles), by broadcasting a commentary which amounted to a scathing attack against a political party without giving such party a right of reply. Details in this regard are found in Section 3 of this report.

### 2.3.2 News Programming

A total of 25,350 News items were monitored for 43,803 incidences of parties or organisations (104 parties / organisations represented). The table below shows the News items for the top 16 parties and their respective duration.

**Table 3: Political Party Coverage-News**

Party	Number of News Items	Total Duration
African National Congress (ANC)	12349	245:00:10
Democratic Alliance (DA)	5231	104:32:13
Economic Freedom Fighters (EFF)	4224	90:01:37
Inkatha Freedom Party (IFP)	616	12:53:57
Congress OF the People - COPE	566	12:17:31
National Freedom Party	539	10:09:34
United Democratic Movement (UDM)	391	9:08:39
Freedom Front Plus (FFPlus)	249	5:20:52
African Christian Democratic Party (ACDP)	197	3:46:35
Pan Africanist Congress OF Azania	191	4:05:24
Contralesa	143	3:15:22
Agang	43	0:45:26
African People's Convention	43	2:04:43
Pan Africanist Movement	31	0:33:20
independent	30	1:14:20

<sup>8</sup> EBU. (2014, February). Public service broadcasting: A best practices sourcebook. Retrieved on 17 November 2016 from <http://unesdoc.unesco.org/images/0014/001415/141584e.pdf>

<sup>9</sup> The ICASA Code of Conduct for Broadcasting Licensees Regulations gazette No 32381, 6 July 2009.

Party	Number of News Items	Total Duration
African independent congress	24	0:30:28

As with the preceding section on current affairs, the ANC received the overwhelming coverage followed by DA, EFF, IFP, COPE, NFP and UDM. These figures alone - notwithstanding the limitations in the coverage of smaller parties by broadcasting licensees - point to the fact that Licensees collectively managed to broadcast a diverse range of information programming pertaining to elections and with local and regional significance during the elections period. This occurred despite initial attempts by the SABC to curtail broadcasts of footage of destruction of public property during protests. The Media Monitoring Africa ("MMA") lodged a complaint with the CCC in respect of this incident. The details in this regard are fully outlined under the complaints section of this report.

Having regard to the above, it is important to note that there were several major issues that seemed to dominate the headlines leading up to the elections. These issues dominated the headlines in the months leading up to the elections and were expected to dominate most broadcasts, whether led by the ruling party or by opposition parties getting ready for the elections.

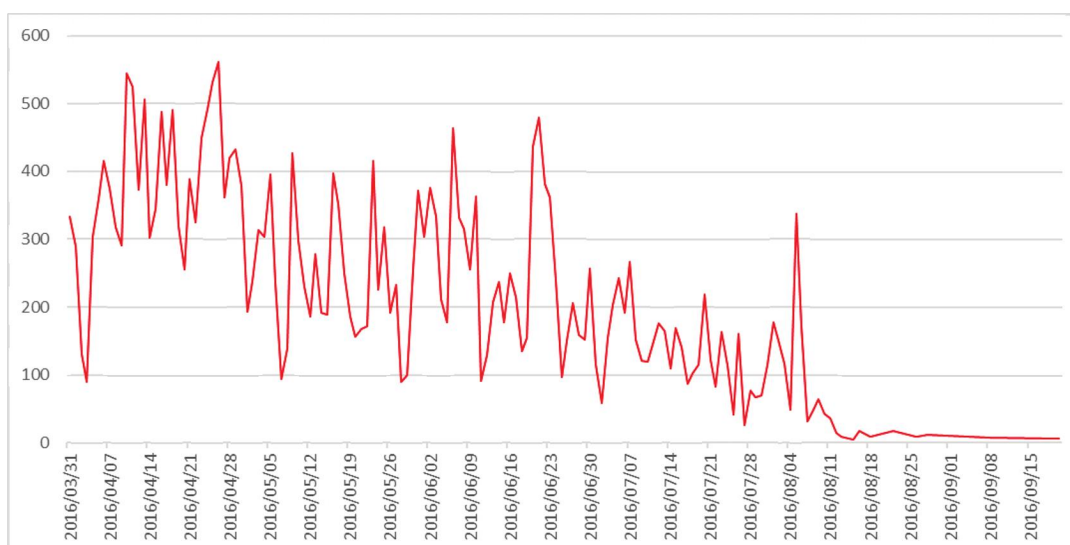
#### **Some Major issues that Seemed to Dominate the Headlines:**

- Infrastructure and service delivery – particularly electricity and the proposed plan of building nuclear power stations at the cost of R1 trillion by 2030;
- Consistent downgrading of South Africa's international credit rating by Moodies, S&P and Fitch;
- Fraud and corruption in government – mostly focused on the spend of over R250 million on so called "Security Improvements" at the President's private residence in Nkandla;

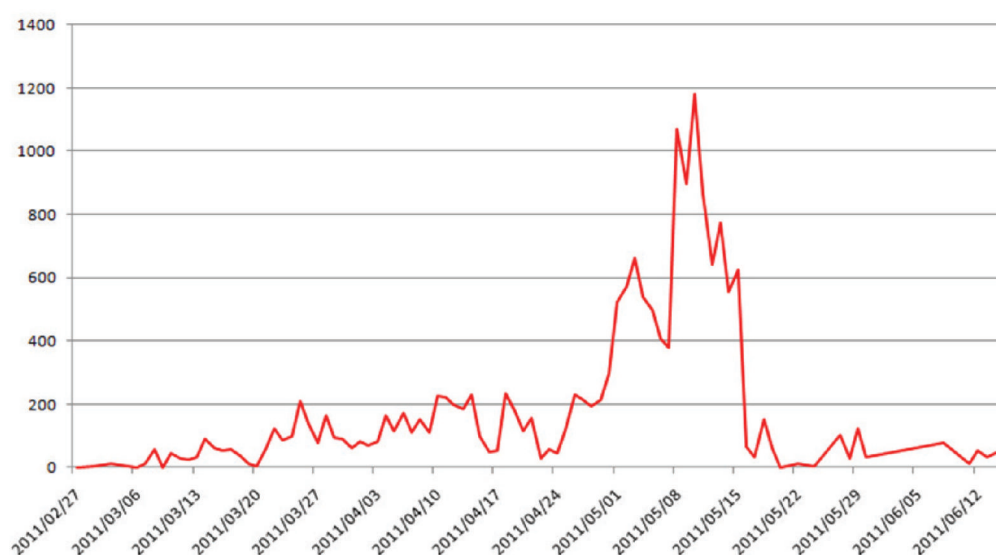
- Various reports from the Public Protector implicating government officials in wrong doing;
- State Capture – particularly the involvement of the Gupta family and their friendship with several ANC government officials;
- Municipality Officials incompetence, lack of accountability, inexperience, inaccessibility and nepotism;
- Accessibility of tertiary education – the “Fees Must Fall” campaign;
- Delayed rollout of fibre and high cost of internet services in South Africa;
- Possible loss of major municipalities of Johannesburg, Tshwane and Nelson Mandela Bay by the ANC to an opposition party or alliance of opposition parties to be formed where applicable; and
- The emergence of the EFF as a major political party since the last municipal election.

Most importantly, whereas previous experience has shown a definitive spike in political broadcasts in the 2 weeks leading up to the elections as shown in graph 6 below, the political instability during the period in the months leading up to these elections and thereafter showed no clear trend as is depicted in the graph 5 below.



**Graph 5: Statistical Report- 2016**

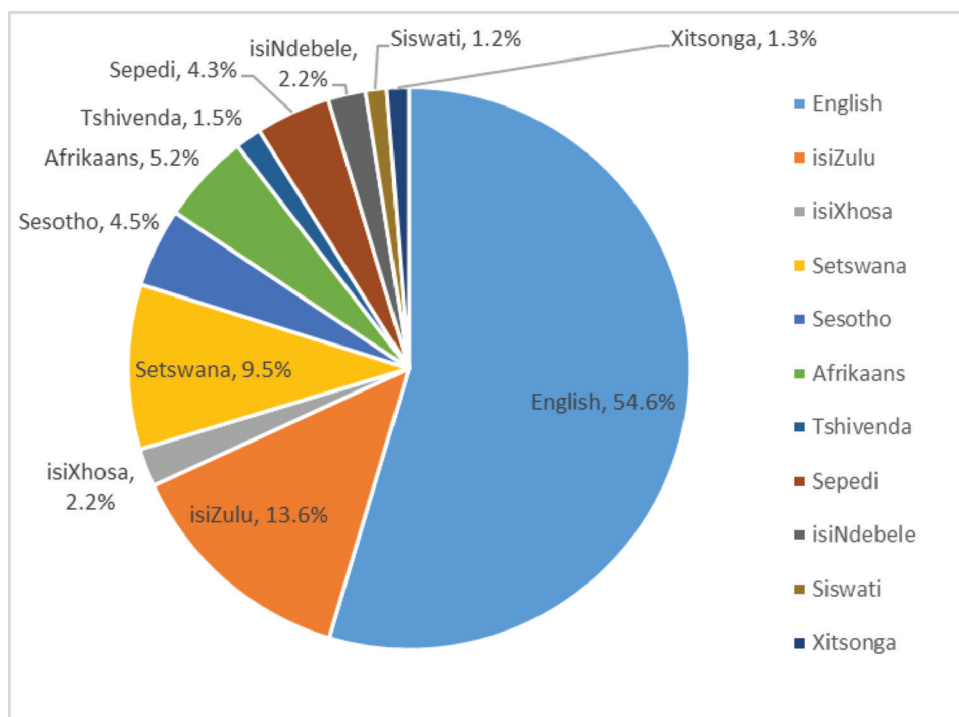
The above differs from the last municipal elections as depicted below where less political uncertainty was evident and the opposition was less expected to win vital municipalities.

**Graph 6: Statistical Report- 2011**

The difference in the graphs between 2011 and 2016 could be attributed to the change in the political landscape over the intervening period in South Africa as highlighted by the following factors:

- The Public Protector's findings and Constitutional Court ruling regarding costs incurred as part of security improvements on the President Zuma's private property at Nkandla
- Significant focus on Government fraud and corruption (including various investigations by the office of the public protector)
- A stronger opposition with expectations of winning key municipalities.

## 2.5. GROSS LANGUAGE DISTRIBUTION



The above diagram shows the language spread across licensees. The Authority's monitoring revealed that all languages were used during the election period however, as with the previous elections, English remained the dominant language of broadcast at 54.5% followed by IsiZulu at 13.6%, Setswana 9.5%, Afrikaans 5.2%, Sesotho 4.5%, IsiXhosa 2.2%, Tshivenda 1.5%, Sepedi 4.3%, IsiNdebele 2.2%, Siswati 1.2% and Xitsonga 1.3%,

# **SECTION 3**

## **COMPLAINTS AND COMPLIANCE COMMITTEE (CCC)**

### **3.1 PROCESSING OF COMPLAINTS**

Section 17C of ICASA Act sets out procedures to be followed by the Complaints and Compliance Committee (CCC). The CCC is an independent adjudicative arm of ICASA; established in terms of Section 17A of the ICASA Act and mandated to investigate and adjudicate all complaints received by it.

Regulation 6(3) of the 2016 Regulations Governing Aspects of the Procedures of the CCC of ICASA ("CCC Regulations") provides that complaints in terms of the Election Rules are deemed to be urgent unless the Chairperson determines otherwise.

The following provisions of the 2016 Regulations are central to the processing of complaints:

- Regulation 7 which provides that in the event of any person being aggrieved by any Political Advertisement (PA) or Political Elections Broadcasts (PEB), that person may lodge a complaint with the Authority within 48 hours after such broadcast occurred.
- Regulation 4(9) of which provides that a party whose PEB has been rejected and which has no intention of altering or editing the PEB, may refer the matter to the Authority and inform the concerned Licensee of the referral to the Authority, within 48 hours of being informed in writing of the rejection.
- Regulation 6(6) which provides that a party whose PA has been rejected by a broadcasting service licensee and which has no intention of altering or editing the advertisement, may refer the matter to the Authority within 48 hours of being informed of the rejection.
- Regulation 6(1) which provides that a PA must only be broadcast during an election period and no later than forty- eight (48) hours before polling commences.
- Regulation (6)(13) which provides that a broadcasting service licensee must not transmit a PA immediately before or after another PA.

- Regulation 4(13) which provides that a PEB must not exceed one (1) minute in duration.
- Regulation 4(15) which provides that a broadcasting service Licensee must not transmit a PEB immediately before or after another PEB or immediately before or after a PA.
- Regulation 4(18) which provides that in the event that a political party elects to forfeit its allocated PEB air-time, then such air-time must not be allocated to another political party but must be used by the broadcaster concerned for the purpose of broadcasting its normal programming.

Finally, regulation (11)(2) of the Regulation on the ICASA Code of Conduct for Broadcasting Licensees provides that a comment must be an honest expression of opinion and must be presented in such manner that it appears clearly to be comment, and must be made on facts truly stated or fairly indicated and referred to.

### **3.1. Matters Investigated by the Authority and Matters Adjudicated by the CCC**

The following sections outline the complaints investigated by the Authority and complaints adjudicated by the CCC during the 2016 Municipal Elections period. A total of 15 complaints were received. Of this number, 8 complaints were against the SABC and 7 were against community broadcasters. 13 of the complaints were heard by the CCC and 2 complaints were resolved by the Authority. Table 4 below indicates the Complaints processed during the election period.

**Table 4: Complaints lodged, processed and adjudicated**

<b>Complainant</b>	<b>Political Party concerned</b>	<b>Respondent</b>	<b>Presiding</b>	<b>No of Complaints</b>
ICASA	FFP	SABC: SonderGrense	CCC	1

ICASA	DA & EFF	SABC: Metro FM	CCC	1
ICASA	ANC	SABC: Ligwalagwala FM	CCC	1
ICASA	IFP & EFF	SABC: Ukhozi FM	CCC	1
ICASA	ANC & DA	SABC: Good Hope FM	CCC	1
ICASA	ANC	Aganang	CCC	1
ICASA	ANC	Motheo	CCC	1
ICASA	EFF	Jozi FM	CCC	1
ICASA	DA & ANC	Kasie FM	CCC	1
ICASA	EFF	Soshanguve Community Radio	CCC	1
ICASA	ANC & IEC	Rhodes Music Radio	CCC	1
ICASA	DA & ANC	Voice of Tembisa (VOT)	CCC	1
Helen de Villiers	DA	SABC3	ICASA	1
Kabelo Mabeleng	ANC	SABC	ICASA	1
MMA	-	SABC	CCC	1
<b>TOTAL</b>				<b>15</b>

### **3.1.1. MATTERS BEFORE THE CCC: THE SOUTH AFRICAN BROADCASTING CORPORATION (SABC)**

#### ***3.1.1.1. Complaint by Media Monitoring Africa (MMA) regarding an alleged contravention by SABC TV***

On 24 June 2016, Media Monitoring Africa (MMA) and others lodged a complaint with the CCC which concerned the alleged omission to discharge its legal duties by the SABC. The complaint was based on the SABC's policy pronouncement / statement dated 26 May 2016 which stated that it would no longer broadcast footage of destruction of public property during protests. The complainants based their case on the legal question whether the SABC has overstepped its powers as set out in the Broadcasting Act No. 4 of 1999 and /or its licence terms and conditions. The CCC 's findings in terms of section 17D (1) of the ICASA Act was that the complaint is upheld and the order by the SABC as articulated in its Policy Statement conflicts with its duties as a public broadcaster and was invalid from inception.

The CCC recommendation as approved by the Council of ICASA directed the SABC to withdraw its resolution as published in its statement of 26 May 2016 retrospectively as from the date when the resolution was taken. The chairperson of the Board of the SABC was also instructed to confirm in writing to Council via the Office of the Coordinator of the CCC within seven calendar days from the date on which the order was emailed to him / her that the above resolution was taken as ordered.

#### ***3.1.1.2. Complaint by ICASA regarding an alleged contravention of section 58(6) of the ECA read with Regulation 6(6) of the 2016 Regulations by RSG***

On 8 August 2016, ICASA referred an allegation of contravention to the CCC against Radio SonderGrense (RSG) on the basis that the radio station contravened section 58(6) of the ECA read with regulation 6(6) of the 2016 Regulations in that the radio station broadcast three political advertisements for the Freedom Front Plus, a registered political party,

within 48 hours before the polling period commenced on the 3rd of August 2016.

On 17 August 2016, the CCC held a public hearing into this matter and subsequently handed down its findings on 10 September 2016 and found that the SABC was grossly negligent in not having taken sufficient precautionary measures to prevent the contravention of the forbidden 48 hours rule. The CCC found that the radio station had, *in effect*, given preference to a political party in a period when fairness was crucial. Accordingly, the Licensee was fined R50,000 of which R 35,000 was suspended. The condition of suspension was that the SABC should not be found to be in contravention of section 56 read with section 56(8) of the ECA by the CCC within the next three year period, commencing from 1 December 2016 up to midnight 30 November 2019.

**3.1.1.2. Complaint by ICASA regarding an alleged contravention of Regulation 4(15) of the 2016 Regulations by Metro FM**

On 24 August 2016, the Authority referred an allegation of contravention to the CCC against Metro FM, a commercial radio station of the SABC on the basis that on 25 July 2016, Metro FM broadcast the DA's PA which was immediately followed by the broadcast of the EFF's PEB thus contravening regulation 4(15) of the 2016 Regulations.

During the hearing held on 16 September 2016, the SABC submitted that whilst it conceded that the broadcasts did take place as alleged, such took place as a result of a mechanical failure. The two broadcasts were not mechanically set to follow immediately upon each other, a non-political item had been programmed between them. However, owing to a mechanical failure, the item that was to have been broadcast fell away. The SABC informed the CCC that staff who were involved in the placing of advertisements, had been unaware of this problem with the system.

In its findings and judgment handed down on 15 October 2016, CCC stated that although it understands the complicated tasks of a radio station, it is nevertheless of the view that the tasked employee was or employees were, in the absence of expert evidence to the nature of the mechanical failure,



negligent in not having ensured that the failure would not take place. The mere fact of the municipal election, should have placed the radio station on special alert. The intention of the 2016 Regulations is that political advertisements and/or election broadcasts should not follow upon each other. This ensures the identification of individual broadcasts and that the listening public would not be confused – in this case, by a political advertisement and a party election broadcast. The Constitution guarantees free and fair elections, a guarantee which has been emphasised by the Constitutional Court as a cornerstone of the country's democracy. As a result, fairness requires that the said broadcasts should have been clearly distinguished from each other.

The CCC held that Metro FM was negligent in having broadcast the two items directly after each other. Consequently, Metro FM contravened regulation 4(15) of the 2016 Regulations. The CCC recommended imposition of a sanction comprising an apology to be broadcast by the radio station once per day for five consecutive days as its first item on its news service at a time between 07:00 and 20:15. Further, a fine of R5000.00 was also imposed to be paid to ICASA within thirty calendar days from the date of issuance of the judgment. The recommended sanction was ratified by the Council of ICASA.

***3.1.1.3. Complaint by ICASA regarding an alleged contravention of Regulation 4(18) of the 2016 Regulations by Ligwalagwala FM***

On 29 August 2016, the Authority referred an allegation of contravention to the CCC against Ligwalagwala FM on the basis that the radio station contravened regulation 4(18) of the 2016 Regulations by broadcasting the ANC's PEB on 28 July 2016 when this PEB slot was not scheduled for the party concerned.

The SABC submitted that Ligwalagwala FM did not play an unscheduled ANC PEB on the date in question. A political advertisement was erroneously labelled with a wrong billboard, resulting in it being introduced as a PEB. The SABC further submitted that this labelling happened at a time when the

SABC was heavily flooded with political materials that needed to be broadcast immediately. The SABC stated that it sincerely apologises for the contravention and was willing to provide necessary evidence to prove that there was indeed a financial transaction involving the said advertisement.

In its findings and judgment handed down on 22 October 2016, CCC stated that although it understands the complicated tasks of a radio station, it is nevertheless of the view that the tasked employee was or employees were, in the absence of expert evidence to the contrary, negligent in not having ensured that the failure would not take place. The mere fact of the municipal election, should have placed the radio station on special alert. The intention of the 2016 Regulations is that PA's and PEB's should clearly be distinguished from each other. This did not happen and listeners were brought under the wrong impression. The Constitution guarantees free and fair elections, a guarantee which has been emphasised by the Constitutional Court as a cornerstone of the country's democracy. Fairness – the CCC stated – requires that the said broadcasts should have been clearly distinguished from each other.

The CCC held that the radio station was negligent in having labelled the PA as a PEB. There was, accordingly, a contravention of the regulation 5(12), alternatively regulation 4(14). The CCC recommended imposition of a sanction comprising an apology to be broadcast by the radio station once per day for five consecutive days as its first item on its news service at a time between 07:00 and 20:15. Further, a fine of R5000.00 was also imposed, to be paid to ICASA within thirty calendar days from the date of issuance of the judgment. The recommended sanction was ratified by the Council of ICASA.

***3.1.1.4. Complaint by ICASA regarding an alleged contravention of Regulation 4(15) of the 2016 Municipal Elections Regulation by Ukhozi FM***

On 29 August 2016, the Authority referred an allegation of contravention to the CCC against Ukhozi FM on the basis that on 26 July 2016, Ukhozi FM

broadcast the IFP's PA which was immediately broadcast after the EFF's PEB thereby contravening regulation 4(15) of the 2016 Regulations

During the hearing held on 16 September 2016, the SABC submitted that whilst it conceded that the broadcasts did take place as alleged, such took place as a result of a mechanical failure. The two broadcasts were not mechanically set to follow immediately upon each other. There was a non-political item which had been programmed between them. However, a "technical glitch" "pushed" the IFP advertisement ahead to the segment immediately before the EFF PEB. According to the SABC, the staff who were involved in the placing of advertisements, had been unaware of this problem with the system. The SABC highlighted that plans were underway to replace the system.

In its findings and judgment handed down on 17 October 2016, the CCC stated that although it understands the complicated tasks of a radio station, it is nevertheless of the view that the tasked employee was or employees were, in the absence of expert evidence to the nature of the mechanical failure, negligent in not having ensured that the failure would not take place. The mere fact of the municipal election, should have placed the radio station on special alert. The intention of the 2016 Regulations is that political advertisements and/or election broadcasts should not follow upon each other. This ensures the identification of individual broadcasts and that the listening public would not be confused – in this case, by a political advertisement and a party election broadcast. The CCC stated that the Constitution guarantees free and fair elections, a guarantee which has been emphasised by the Constitutional Court as a cornerstone of the country's democracy. As a result, fairness requires that the said broadcasts should have been clearly distinguished from each other.

The CCC held that Ukhozi FM was negligent in having broadcast the two items directly after each other. Consequently, Ukhozi FM contravened regulation 4(15) of the 2016 Regulations. The CCC recommended imposition of a sanction comprising an apology to be broadcast by the radio station once per day for five consecutive days as its first item on its news service at a time between 07:00 and 20:15. Further, a fine of R5000.00

was also imposed to be paid to ICASA within thirty calendar days from the date of issuance of the judgment. The recommended sanction was ratified by the Council of ICASA.

***3.1.1.5. Complaint by ICASA regarding an alleged contravention of Regulation 4(15) of the 2016 Regulations by Good Hope FM***

On 29 August 2016, the Authority referred an allegation of contravention to the CCC against Good Hope FM, a commercial radio station of the SABC, on the basis that on 29 July 2016 Good Hope FM broadcast the ANC's PA which was immediately followed by the broadcast of the DA's PEB thus contravening regulation 4(15) of the 2016 Regulations.

During the hearing held on 16 September 2016, the SABC submitted that whereas it conceded that the broadcasts did take place as alleged, this "incident coincided with a major upgrade of the station's main broadcast studio". On the day in question the station moved from their main studio to a temporary facility and this entailed moving the hardware of the station's play-out station to a temporary studio. The initial move went well but subsequent technical problems resulted in the play-out system going off-air, and it was at this time when the scheduled items were "lost". What followed was a scramble to get the play-out system back on air and to recover the "lost" scheduled items. In the rush to get the system back on air, the compiler failed to pick up that the PA and PEB were back to back due to the labelling of the items on the system. In specific terms the PA was labelled ANC and the items TV Airtime Sales. This contributed to the error when the items were rescheduled under duress.

Having reviewed the copies of the broadcasting schedule submitted to the CCC which demonstrated that the planned schedule certainly had an intervening advertisement of Shoprite Checkers; in its findings and judgment handed down on 17 October 2016, CCC ruled that a mistake had been made by the radio station. However, a reasonable compiler could, in the same urgent circumstances, have made the same error. In the result the CCC found that the radio station was not negligent in having broadcast

the two items directly after each other. There was, accordingly, no contravention of regulation 4(15).

### **3.2 MATTERS BEFORE THE CCC: COMMUNITY RADIO STATIONS (CLASS SERVICE LICENSEES)**

#### ***3.2.1 Complaint by ICASA regarding an alleged contravention of Regulation 4(13) of the Regulation- Aganang FM***

On 24 August 2016, the Authority referred an alleged contravention of Regulation 4(13) of the 2016 Regulations by Aganang FM to the CCC. The Authority alleged that on 17, 18, 19, 20 and 21 July 2016, the radio station broadcast the ANC's PEBs in excess of the stipulated 1 minute.

During the CCC hearing held on 16 September 2016 the radio station conceded that a contravention had taken place. According to the radio station, the station manager and employee/s of the radio station had not paid attention to the length of the PEBs. They were of the view that the PEBs were within the limit of 60 seconds. It was only after the Compliance Unit of ICASA advised the radio station that the limit had been breached that the radio station became aware of the contravention.

In its finding and judgement handed down on 22 September 2016, the CCC stated that the radio station had been negligent in having broadcast 10 PEBs, which were all longer than one minute by an average of 46 seconds. Accordingly, the 2016 Regulations were contravened.

The radio station was ordered to broadcast a statement of apology as prepared by the CCC office to its listeners twice as its first item on its news service at a time between 07:00 and 21:00 in its principal language/s of broadcast. In addition, the station was ordered to pay a fine R2000 to ICASA on or before thirty days of receipt of the CCC order.

**3.2.2. Complaint by ICASA regarding an alleged contravention of section 56 read with Regulation 6 (1) of the Regulation: Soshanguve Community Radio**

On the 13 June 2016, the Authority referred an alleged contravention of section 56 of the ECA read with Regulation 6(1) of the 2016 Regulations by Soshanguve FM to the CCC. The Authority alleged that on 25, 26 and 27 April 2016, before the election period had commenced, the radio station broadcast four political advertisements of the EFF.

After the CCC hearing held on 05 August 2016, the CCC in its finding and judgement handed down on 9 August 2016 stated that indeed the Licensee had contravened the provisions in the ECA and the Regulation. Accordingly, the radio station was ordered to broadcast a statement of apology as prepared by the CCC office to its listeners twice as its first item on its news service at a time between 07:00 and 21:00 in its principal language/s of broadcast. In addition, the station was ordered to pay a fine R2000 to ICASA on or before thirty days of receipt of the CCC order.

**3.2.3. Complaint by ICASA regarding an alleged contravention of section 56 read with Regulation 6 (1) of the Regulation: Jozi FM**

On 14 June 2016, the Authority referred an alleged contravention of section 56 of the ECA read with Regulation 6(1) of the 2016 Regulations by Jozi FM to the CCC. The Authority alleged that on 25, 26 and 27 April 2016, before the election period had commenced, the radio station broadcast four political advertisements of the EFF.

During the CCC hearing held on 5 August 2016 the radio station submitted that it mistook the announcement of the election date made by the President for the beginning of an election period.

On 10 August 2016, the CCC found that Jozi FM contravened section 56 of the ECA read with Regulation 6(1) four times by broadcasting election advertisements before the commencement of the election period on 23 May

2016 and that the radio station was negligent in not abiding by provisions as contemplated in the Act and the Regulation.

The radio station was ordered to broadcast a statement of apology as prepared by the CCC office to its listeners twice as its first item on its news service at a time between 07:00 and 21:00 in its principal language/s of broadcast. In addition, the station was ordered to pay a fine R2000 to ICASA on or before thirty days of receipt of the CCC order.

**3.2.4. Complaint by ICASA regarding an alleged contravention of section 56 read with Regulation 6 (1) of the Regulation: Motheo FM**

On 14 June 2016, the Authority referred an alleged contravention of section 56 of the ECA read with Regulation 6(1) of the 2016 Regulations by Motheo FM to the CCC. The Authority alleged that on 13 and 14 May 2016, before the election period had commenced, the radio station broadcast four political advertisements of the ANC.

During the CCC hearing held on 5 August 2016 the radio station submitted that it mistook the announcement of the election date made by the President for the beginning of an election period.

In its finding and judgement handed down on 10 August 2016, the CCC stated that Motheo FM contravened section 56 of the ECA read with Regulation 6(1) four times by broadcasting election advertisements before the commencement of the election period on 23 May 2016 and that the radio station was negligent in not abiding by provisions as contemplated in the Act and the Regulation.

The radio station was ordered to broadcast a statement of apology as prepared by the CCC office to its listeners twice as its first item on its news service at a time between 07:00 and 21:00. In addition, the station was ordered to pay a fine R2000 to ICASA on or before thirty days of receipt of the CCC order.

**3.2.5 Complaint by ICASA regarding an alleged contravention of Regulation 6(13) of the Regulation: Kasie FM**

On 8 August 2016, the Authority referred an alleged contravention of section 56 of the ECA read with Regulation 6(1) of the 2016 Regulations by Kasie FM to the CCC. The Authority alleged that on 5 July 2016 the radio station broadcast the ANC PA followed immediately by the DA advert.

During the CCC hearing held on 17 August 2016 the radio station conceded to the allegation and stated that the contravention was not intentional. The radio station demonstrated with evidence in the form of a log indicating that the advertisements were in different blocks as submitted earlier in its response to the Compliance Unit. In handing down its finding and judgement on 3 September 2016, CCC stated that there was no intentional or negligent contravention of regulation 6(13) by Kasie FM. Consequently, the charge was not upheld.

**3.2.6 Complaint by ICASA regarding an alleged contravention of section 56 of the ECA read with Regulation 6(1) of the Regulation: Voice Of Tembisa(VOT)**

On 17 August 2016, the Authority referred an alleged contravention of section 56 of the ECA read with Regulation 6(13) of the 2016 Regulations by VOT to the CCC. The Authority alleged that on 11 July 2016, the radio station broadcast three political advertisements after each other after 21h00 in the following order- DA, ANC and DA directly after the first political advertisement.

During the CCC hearing held on 16 September 2016, the radio station conceded that the contravention had occurred and submitted the presenter of the talk show had found it necessary that evening to make a call to a listener who had called in earlier. He then pressed a button, which led to the three political advertisements following directly upon the first political advertisement. These advertisements the station argued, had not been scheduled for broadcast at that time or around that time.



In handing down its finding and judgement on 21 September 2016, the CCC stated that the radio station had been negligent in broadcasting the three advertisements directly after the first advertisement. The radio station was ordered to broadcast a statement of apology as prepared by the CCC office to its listeners once per day for five consecutive days as its first item on its news service at a time between 07:00 and 20:15. In addition, the radio station was ordered to pay a fine R2000 to ICASA on or before thirty days of receipt of the CCC order.

***3.2.7 Complaint by ICASA regarding an alleged contravention of section 56 of the ECA read with Regulation 6(1) of the Regulation by Rhodes Music Radio***

On 29 July 2016, the Authority referred an alleged contravention of Regulation 11(2) of the 2016 Regulations on ICASA Code of Conduct for Broadcasters by Rhodes Music Radio to the CCC. The Authority alleged that on 30 June 2016, the radio station's presenter made which were not fairly represented and were not based on facts truly stated or fairly indicated and referred to against the ANC, the IEC, and the Public Protector in contravention of Regulation (11)(2) of the 2016 Regulations. In its response to the Authority, and during the CCC hearing held on 5 August 2016, the radio station conceded to the contravention.

In handing down its finding and judgement on 10 August 2016, the CCC stated that not only was Regulation 11(2) contravened. The radio station also contravened section 59 of the ECA. The CCC's judgement took into account the clean record of the radio station as a consequence, no fine was imposed on the radio station save for an order for the radio station's manager to broadcast the following apology to the radio station's listeners:

*"The Independent Communications Authority of South Africa has directed Rhodes Music Radio to apologize for having broadcast, during the election period, a commentary by one of its presenters which was in conflict with the rules that applied during the election period. The commentary amounted to a scathing attack against the ANC without having granted the ANC an opportunity to respond."*

*Rhodes Music Radio agrees that the broadcast was in conflict with the law and profusely apologizes to the African National Congress, the Independent Electoral Commission, listeners and ICASA for the contravention - a contravention which would also, in a non-election period, have amounted to being in conflict with the Broadcasting Code. The commentary was not authorised by Rhodes Music Radio and it distances itself from the opinions expressed."*

### **3.3. MATTERS BEFORE ICASA: COMPLAINTS AGAINST THE SABC**

#### ***3.3.1 Complaint by Helen de Villiers on the SABC's bias***

On 1 August 2016, Ms Hele de Villiers lodged a complaint with the Authority alleging that on 31 August 2016 during the 18h30 news bulletin, SABC 3 gave extensive coverage to the ANC rallies and a range of 'smaller parties' but completely failed to mention the existence of the Democratic Alliance – the official opposition.

On 4 August, the SABC responded and conceded that the DA was indeed not covered on 31 August 2016, however, the SABC averred, the news bulletin in question focused primarily on political parties that were holding their final rallies on the day. In its response, the SABC submitted that the DA was covered on 29 July 2016 and during its final rally on 30 July 2016 in Dobsonville. The party was also covered the same day (30 July 2016) on SABC 3 at 18h30. The SABC's response was duly sent to the complainant for comment. Nevertheless, no response was received. Accordingly, this matter was closed and SABC notified accordingly.

#### ***3.3.2. Complaint by Kabelo Mabeleng against Motsweding FM***

On 14 June 2016, the Authority received correspondence from Mr Kabelo Mabeleng in terms of which he set out his complaint against comments made by one of Motsweding FM's presenters on 4 June 2016 at 8h55 during a programme called "Lerethabetse". It is important to note that the

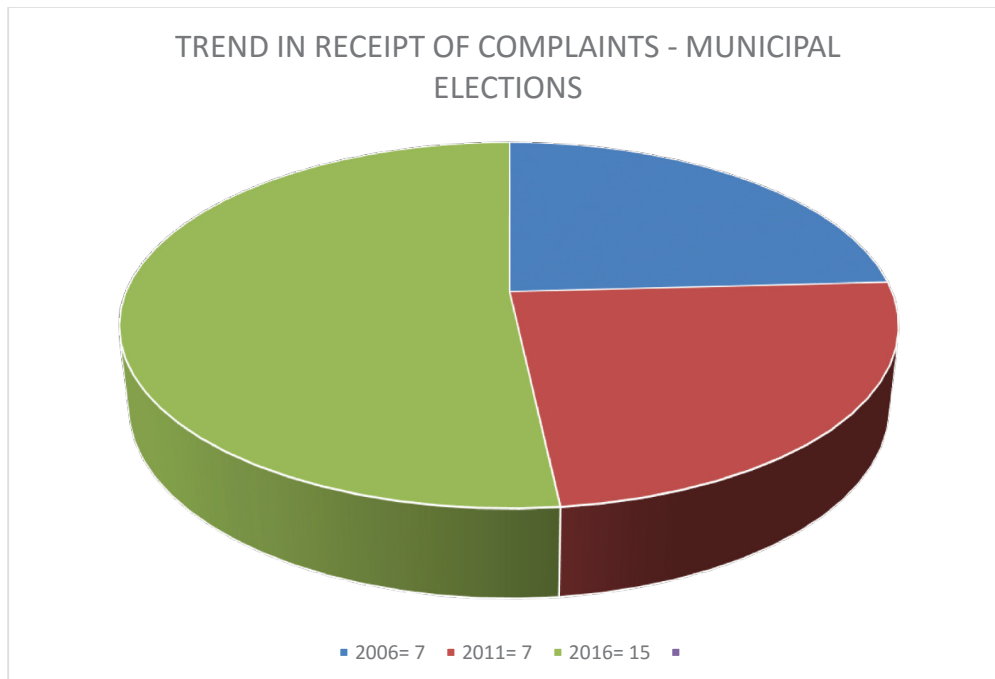
complaint had initially been lodged with the BCCSA and referred to the Authority because the BCCSA had no jurisdiction in this regard.

The complainant alleged that presenter commented that upon completing his slot for the day, he would be heading straight to the rally of the ruling party, the party of the late Mr. Mandela where he has been invited to attend. This comment was, according to the complainant, unwarranted and the radio station was not supposed to be seen as representing the views of any political party in any way, especially not at this time where the Municipal Elections were just around the corner.

On 15 June 2016, the complaint was forwarded to the SABC for its response. The SABC responded on 15 June 2016. In the main, the SABC argued that at no stage did the radio station's presenter represent the views of any political party. In addition, he did not invite listeners to join him at the rally. Furthermore, he did not call on anyone to vote for any political party, including the ANC. The SABC provided the Authority with the recording in this regard.

The Authority forwarded the SABC's response to the complainant for his comment to which the complainant maintained that as an employee of the radio station, the presenter ought to have refrained from such comments. Having reviewed the complaint, the Licensee's response and the comments from the complainant and having listened to the recordings; the Authority was satisfied that there was no substance in the complaint lodged. Consequently, this matter was closed to the parties' satisfaction.

The analysis set out in the section below represents a trend in the complaints received and adjudicated by the CCC during the past and present municipal elections namely 2006, 2011 and 2016.

**Graph 7: Complaints- Previous and Current Municipal Elections**

As illustrated above, there has been an increase in the number of complaints received by the Authority and those adjudicated by the CCC in 2016 than the previous elections. This increase could be attributable to various factors including but not limited to licensees not observing the rules governing the elections. In 2006, there were no complaints referred to the CCC. All 7 complaints were resolved at the department level. Below is a table containing all complaints dealt with 2006. In 2011 only 1 complaint was referred to the CCC and the other 6 were resolved at divisional level. As indicated earlier, 13 complaints were adjudicated by the CCC and only 2 were resolved at divisional level during the 2016 elections.

**EXAMPLES OF NATURE OF COMPLAINTS RECEIVED AND RESOLVED- 2006**

<b>Date</b>	09 January 2006
<b>Complainant</b>	Andries J van der Walt, Gauteng
<b>Broadcaster</b>	SABC 3

<b>Summary</b>	<p>Complained that SABC news broadcast referred to the Independent Democrats (ID) mayoral candidate in Cape Town as an ex-switchboard operator, while lauding the ANC candidate. The complainant criticised the SABC for being partisan to the ruling party.</p> <p>SABC responded and informed the complainant and the MCU that the news item dealt with the announcement of the ID candidate for the mayoral seat in Cape Town and did not mention candidates from other parties let alone the ANC.</p> <p>The MCU monitored the recordings and indeed the ANC candidate was not mentioned in the news broadcast. The matter was resolved.</p>
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<b>Date</b>	31 January 2006
<b>Broadcaster</b>	Sharmielia Garnie
<b>Complainant</b>	Highveld Stereo
<b>Summary</b>	<p>Complained that the prank aired by Darren Simpson of Highveld Stereo in the morning show "Rude Awakening" was in a bad taste and prejudiced other political parties in that it gave Democratic Alliance (DA) free advertisement and exposure.</p> <p>In this advert the complainant alleged that the presenter called the DA office requesting pizzas because their posters said, "the DA delivers". It also alleged that the station even called the DA leader Tony Leon with the request of the delivery of the pizzas and on 27 January 2006 the DA delivered the pizzas and this was announced on air and also posted onto the Highveld Stereo website.</p> <p>The station responded and informed the Unit and the complainant that during the "Rude Awakening" show there is what is called Whacked window" wherein Darren Simpson makes prank calls to different people and on this day he called</p>

	<p>the DA office where he spoke to one of the DA officials as well as Mr. Tony Leon on the pretext that he had an order for pizzas.</p> <p>Highveld denied that it gave free publicity and free advertisements to DA in respect of the local government elections.</p> <p>The Unit accepted the station's explanation that it did not contravene the applicable regulations relating to party elections, however, cautioned the station to exercise extra caution during the election period. The matter was resolved.</p>
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<b>Date</b>	10 February 2006
<b>Broadcaster</b>	SABC
<b>Complainant</b>	Shaheed Mohamed, Western Cape
<b>Summary</b>	<p>Complained that at the launch of the Workers International Vanguard League (WIVL) both SABC radio and television were not present to cover the launch. He requested that the process of allocating PEB slots to political parties be reversed to accommodate smaller parties.</p> <p>The complainant was informed that the process of allocating PEB's could not be reversed and that the process was informed by the regulations on municipal elections that allow the Authority to allocate air-time in respect of party elections broadcasts.</p>

<b>Date</b>	15 February 2006
<b>Broadcaster</b>	RSG
<b>Complainant</b>	Brink du Preez
<b>Summary</b>	Complained against an election campaign conduct by the Democratic Alliance (DA). He stated that RSG aired a DA advert stating that the public must not vote for the Freedom Front at

	<p>all as this would only split the opposition vote and give the ANC more power.</p> <p>The complaint was forwarded to IEC for investigation since it did not fall within the Authority's jurisdiction.</p>
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<b>Date</b>	24 February 2006
<b>Complainant</b>	George Sinclair
<b>Broadcaster</b>	SABC
<b>Summary</b>	<p>The complainant, George Sinclair, leader of the "Right Party" complained that SABC continued to give coverage to bigger parties and no coverage at all to small parties like his party.</p> <p>The Unit informed the complainant that if his political party was not allocated Party Election Broadcast (PEB's) slots by ICASA his party would not receive coverage by the public broadcaster. The matter was resolved.</p>

<b>Date</b>	28 February 2006
<b>Complainant</b>	Chris Coetzer
<b>Broadcaster</b>	e-tv
<b>Summary</b>	<p>Complained that in the news broadcast of 26 February 06 e-tv showed IFP and ANC and nothing on DA.</p> <p>The Unit responded and informed the complainant that e-tv did not contravene the regulations relating to party elections since the discrimination he referred to of the DA could not be measured on one news bulletin. The matter was resolved.</p>

#### **4. CONCLUSION**

The ECA and the 2016 Regulations governing elections direct the Authority to monitor the extent to which Licensees cover the elections in the manner consistent with the law. The 2016 municipal elections were the most highly-contested compared to the 2011 municipal elections. The Authority's findings on monitoring of broadcasters revealed that Licensees – when viewed collectively and despite a couple of noted contraventions (which were dealt with) – covered the elections fairly and in a manner largely compliant with the applicable rules.



**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM  
NOTICE 286 OF 2017**

**DEPARTMENT OF RURAL DEVELOPMENT AND LAND REFORM:  
COMMUNAL PROPERTY ASSOCIATIONS AMENDMENT BILL, 2017**

The Minister for Rural Development and Land Reform intends introducing the Communal Property Associations Amendment Bill, 2017 in the National Assembly during the first quarter of 2017. The explanatory summary of the Bill is hereby published in accordance with Rule 276 of the Rules of the National Assembly.

The Bill provides for the establishment, functions and powers of the Office of the Registrar of Communal Property Associations. It further provides for clarity on the role of communal property associations; provides for improved protection of the rights of communities in respect of movable and immovable property administered by communal property associations; provides for improved provisions on the management of communal property associations; provides for annual reports in respect of communal property associations and also to provide for matters connected therewith.

A copy of the Bill can be found on the website of the Department of Rural Development and Land Reform ([www.ruraldevelopment.gov.za](http://www.ruraldevelopment.gov.za)), and may, after introduction, also be obtained from:

1. Government Printers – Cape Town and Pretoria.
2. The Director-General  
For attention: Adv. Sello Ramasala  
Department of Rural Development and Land Reform  
Private Bag X833  
PRETORIA  
0001  
Telephone: (012) 312 8724  
E-mail: [sello.ramasala@drdlr.gov.za](mailto:sello.ramasala@drdlr.gov.za)

**STATISTICS SOUTH AFRICA  
NOTICE 287 OF 2017**

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

Consumer Price Index, Rate (Base Dec 2012=100)

2017:

Rate: **February – 6,3**

## BOARD NOTICES • RAADSKENNISGEWINGS

### BOARD NOTICE 48 OF 2017

This Board Notice is effective as from 1 April 2017

### SOUTH AFRICAN COUNCIL FOR NATURAL SCIENTIFIC PROFESSIONS

### FEE STRUCTURE FOR 2015/2016

The South African Council for Natural Scientific Professions herewith retracts Board Notice 77 of 2016 as published on 27 May 2016 in Government Gazette 40021.

#### 1. NOTES

- (a) **"application fee"** means the fee payable on submission of an application for registration. A fee is payable for each field of practice for which registration is requested and is not refundable, should an application not be successful.
- (b) **"annual fee"** means the fee payable by the registered person within 60 days from the date on which he/she is informed (in writing) that his/her annual fee has become payable. Annual fees will become payable on the 1<sup>st</sup> of April of every year. In the first year of registration a *pro rata* annual fee will be payable in the month following the date of registration.
- (c) **"qualifications assessment fee"** must be paid for evaluation of qualifications for registration purposes.
- (d) **"re-instatement fee"** means the fee payable on submission of an application to reinstate a registration. A fee is payable for each field of practice for which re-instatement is required.
- (e) **"appeal fee"** means the fee payable in terms of Section 25(1) of the Act when a person lodges a complaint against a Council decision.

#### 2. FEES

#### Annual fees payable as from the 1<sup>st</sup> of April 2017:

Category	2018 Fees
Pensioner's fee:	R 275
Candidate Natural Scientist:	R 460
Certificated Natural Scientist:	R 740
Professional Natural Scientist:	R 1 210

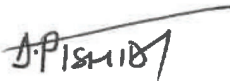
#### Other fees payable as from the 1<sup>st</sup> of April 2017:

Description	2018 Fees
Appeals Fee	R 2 000
Application Fee	R 1 265
Critical Skills Fee	R 3 280
Qualification Assessment Fee	R 1 960
Re-instatement Fee	R 3 060
Upgrading Fee	R 1 225

**BOARD NOTICE 49 OF 2017****FINANCIAL MARKETS ACT, 2012****AMENDMENTS TO THE JSE DEBT LISTING REQUIREMENTS**

I, Dube Phineas Tshidi, Registrar of Securities Services, hereby give notice under section 71(3) (c) (ii) of the Financial Markets Act, 2012 (Act No. 19 of 2012) that the amendments to the JSE Debt Listing Requirements have been approved. Please be advised that the listing requirements are available on the official website of the Financial Services Board ([www.fsb.co.za](http://www.fsb.co.za)) and that of the exchange ([www.jse.co.za](http://www.jse.co.za)).

The amendments come into operation within 30 ( thirty) days of the publication of this Notice.

**D P TSHIDI****REGISTRAR OF SECURITIES SERVICES**

**BOARD NOTICE 50 OF 2017****DENTAL TECHNICIANS ACT****2<sup>ND</sup> REQUEST FOR NOMINATIONS****ELECTIONS OF MEMBER OR MEMBERS OF THE SOUTH AFRICAN DENTAL TECHNICIANS COUNCIL**

Notice is hereby given in terms of the provisions of the Regulations relating to the election of members of council that an election of **one (1) Dental Technician employee and one (1) dental technical contractor** member/members of the Council to serve during the period ending the 30<sup>th</sup> September 2018 is about to be held.

**Nominations of eligible dental technician contractor/dental technician employees** are awaited. A person nominated shall (a) not be an unrehabilitated insolvent, (b) not be disqualified, in terms of this Act or the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), from practising his profession, (c) not be a patient or a President's patient as defined in section 1 of the Mental Health Act, 1973 (Act 18 of 1973), and (d) be as South African citizen and permanently resident in the Republic.

Each candidate shall be nominated on a separate nomination form, but any person entitled to vote in the election may sign the nomination forms of any number of candidates not exceeding the number to be elected.

Each nomination form shall state the first names and the surnames of the candidate nominated and shall be signed by **two registered dental technicians/technologists**. The person nominated shall also sign the form, confirming that he consents to his nomination. The registered address of each one so signing shall be appended to his signature. If the person nominated is unable to sign the nomination form he may inform the returning officer by letter or telegram that he consents to his nomination.

Every nomination form shall reach the undersigned (from whom nomination forms can be obtained on application) at the address given below not later than **12 May 2017, 16H00**

A deposit of R50 shall accompany the nomination. Every nomination form in respect of which any of these provisions has not been complied with or which is not received by the aforesaid date at the address given below, shall be invalid.

<b>Physical address</b> The Returning Officer 954 Corner Arcadia & Hill Streets Arcadia Pretoria  Website: <a href="http://www.sadtc.org.za">www.sadtc.org.za</a> Inquiries maybe directed to the Registrar by email or telephone at <a href="mailto:info@sadtc.org.za">info@sadtc.org.za</a>	<b>Postal address</b> The Returning Officer P. O BOX 14617 Hatfield 0028  Tele: (012) 342 4134 Fax: (012) 342 4469
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**Returning Officer**

Mrs P.T Nkuna  
Registrar/CEO: South African Dental Technicians Council

# **WARNING!!!**

## **To all suppliers and potential suppliers of goods to the Government Printing Works**

The Government Printing Works would like to warn members of the public against an organised syndicate(s) scamming unsuspecting members of the public and claiming to act on behalf of the Government Printing Works.

One of the ways in which the syndicate operates is by requesting quotations for various goods and services on a quotation form with the logo of the Government Printing Works. Once the official order is placed the syndicate requesting upfront payment before delivery will take place. Once the upfront payment is done the syndicate do not deliver the goods and service provider then expect payment from Government Printing Works.

Government Printing Works condemns such illegal activities and encourages service providers to confirm the legitimacy of purchase orders with GPW SCM, prior to processing and delivery of goods.

To confirm the legitimacy of purchase orders, please contact:

Renny Chetty (012) 748-6375 ([Renny.Chetty@gpw.gov.za](mailto:Renny.Chetty@gpw.gov.za)),

Anna-Marie du Toit (012) 748-6292 ([Anna-Marie.DuToit@gpw.gov.za](mailto:Anna-Marie.DuToit@gpw.gov.za)) and

Siraj Rizvi (012) 748-6380 ([Siraj.Rizvi@gpw.gov.za](mailto:Siraj.Rizvi@gpw.gov.za))

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Publications: Tel: (012) 748 6053, 748 6061, 748 6065